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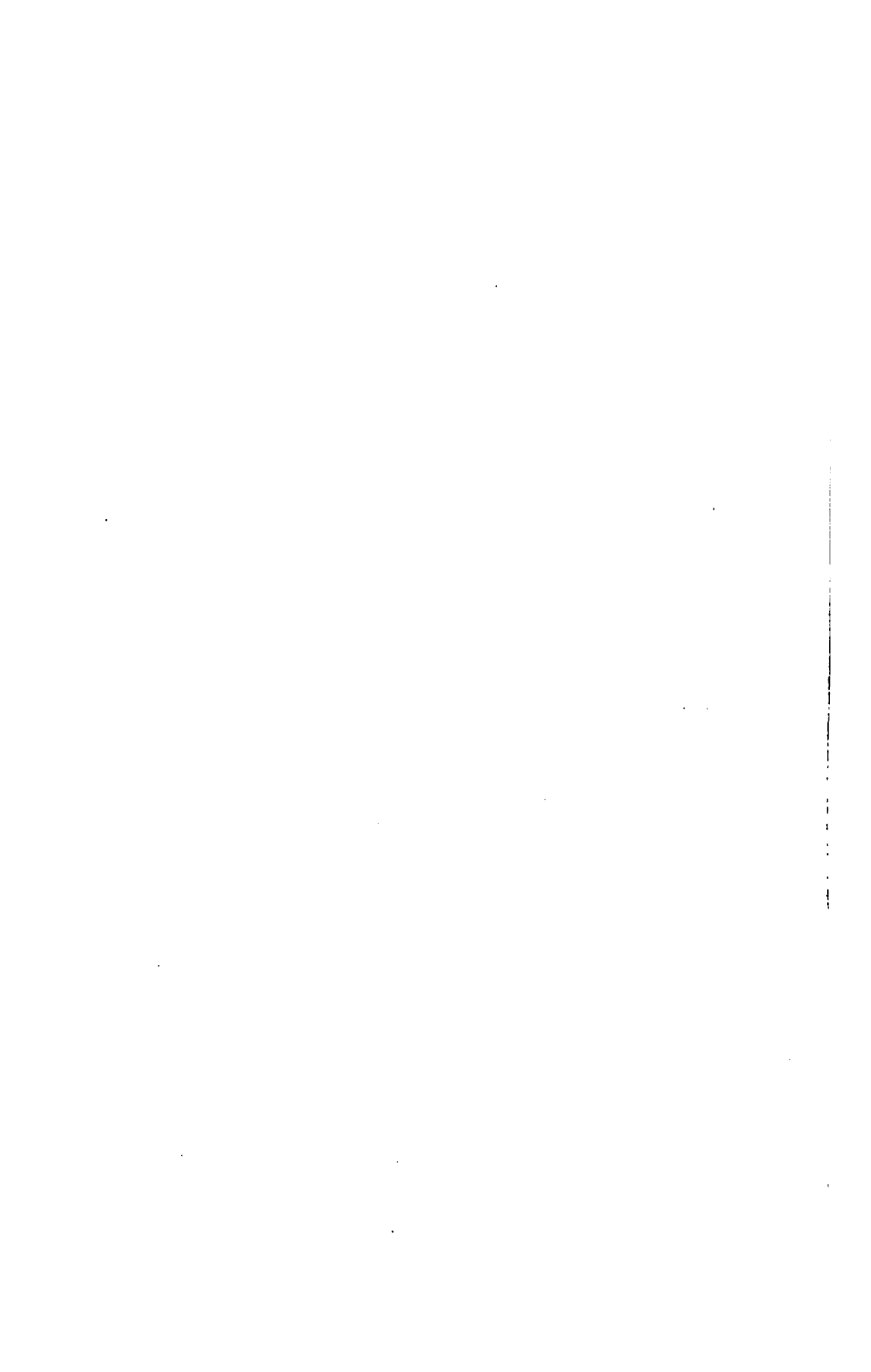
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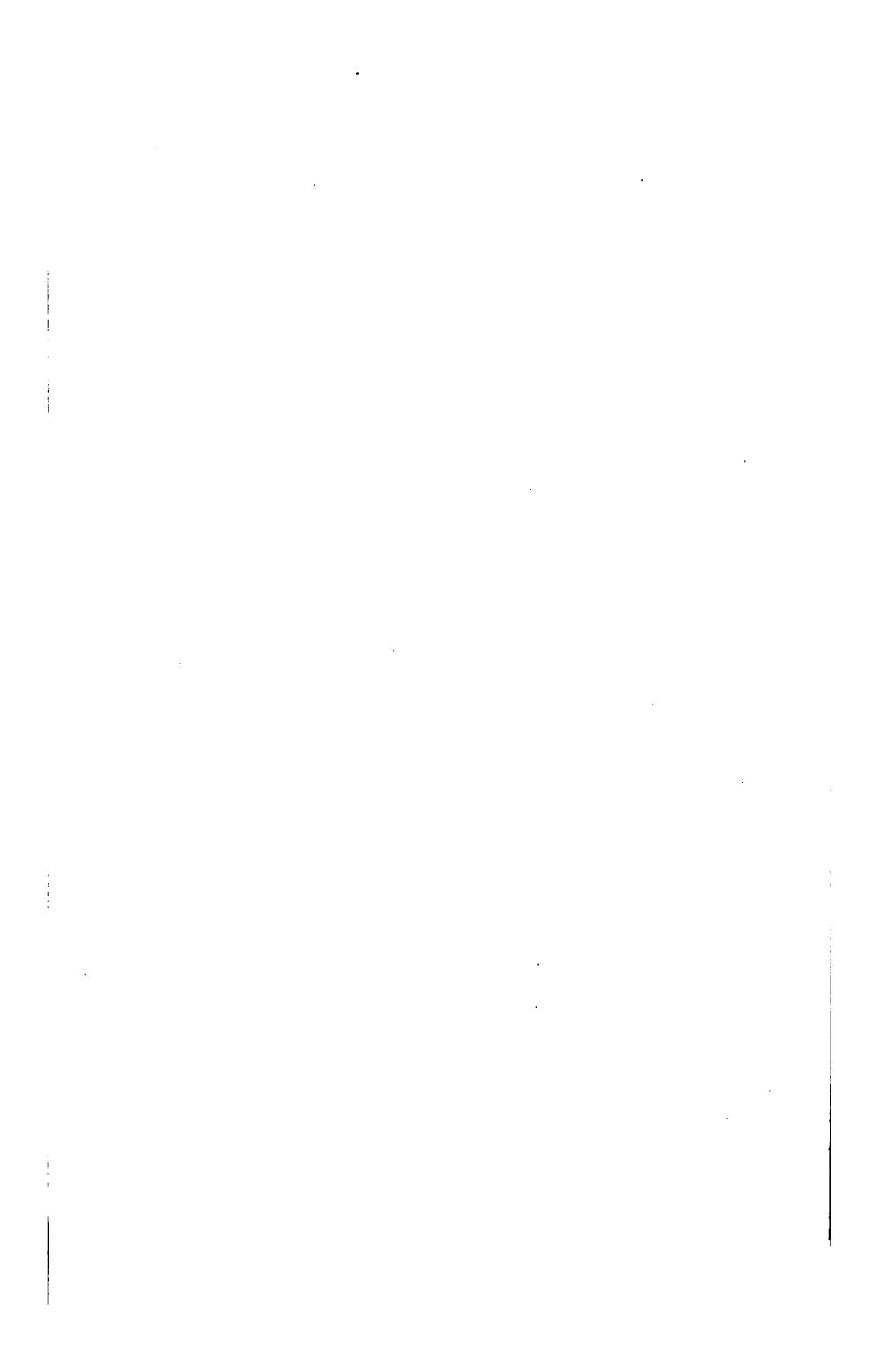


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Nat. Amer. Woman Suffrage Assoc.

STATE OF NEW JERSEY

AN ACT

TO REGULATE

ELECTIONS

(Revision of 1898)

APPROVED APRIL 4th, 1898

With the Amendments Thereof, and Other
Acts Concerning Elections

AND THE

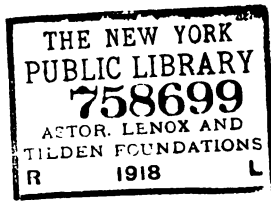
CONSTITUTIONAL PROVISION CONCERNING THE
RIGHTS OF SUFFRAGE, INCLUDING INSTRU-
CTIONS RELATIVE TO DUTIES OF
OFFICERS AND VOTERS.

Compiled and Printed under the Direction of the
Secretary of State



Union Hill, N. J.
HUDSON PRINTING COMPANY

1916



Registration Days.

Municipalities 10,000 and Less Inhabitants.

First Registration Day,September 12, 1916

*Second Registration Day,September 26, 1916

Third Registration Day,October 31, 1916

Municipalities Exceeding 10,000 Inhabitants.

First Registration Day,September 12, 1916

*Second Registration Day,September 26, 1916

Third Registration Day,October 24, 1916

*Also Primary Election Day.

General Election Day, November 7, 1916

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Chronological Index

Of Duties Relating to the Primary and General Elections.

June, 1916—

The chairman of the State Committee of each of the two largest political parties may nominate two citizens in each county as members of the county board of election. *Section 13.*

July, 1916—

Two members of the county board of elections shall be commissioned during this month, for each county, by the Governor. *Section 13.*

July 1st, 1916—

On or before this date the chairman of the county or city committee shall file with the municipal clerks the number of committeemen to be elected. *Section 245.*

July 15th to August 1st, 1916—

Between these dates, in every year wherein electors of President and Vice-President, a representative in the United States Senate, members of the House of Representatives, a Governor, or Senator for any county, or any of them, are to be elected, the Secretary of State shall deliver to the clerk of every county wherein such election is to be held, a notice stating that such officer or officers are to be elected at the ensuing election; the clerk of such county shall, between the first day of August and the first day of September, deliver a certified copy of such notice to each township and municipal clerk in his county. *Section 5.*

August 1st, 1916—

The term of office of all members of the county board of elections, commissioned in July, 1916, will begin August 1st, 1916. *Section 13.*

August 1st to 10th, 1916—

At 10 o'clock A. M., on the first Tuesday of August or on such other day as they may agree on, within the first ten days of August, the county board of elections shall meet at the court house or other place and organize. *Section 14.* Before entering upon the performance of their duties, they shall take and subscribe an official oath or affirmation and forward it to the county clerk. *Section 16.*

August 1st to September 1st, 1916—

Between the same dates in every county wherein a sheriff, coroner, clerk, register of deeds or surrogate is to be elected, the county clerk shall deliver a notice to each township and municipal clerk in his county that such officer or officers will be elected. *Section 6.*

August 12th, 1916—

On or before this date the Secretary of State shall provide proper and sufficient canvassing-books, poll-books, identification statements, registry-books, copies of the election laws then in force, a pamphlet of instructions for election officers and voters, blanks for the official oaths and for election returns for the proper carrying into effect of the provisions of this act, and furnish a sufficient supply of the same to the clerks of the different counties of this State, for use in such counties, at least thirty days before the same shall be required for use; and the said county clerks shall cause the same to be delivered to the different boards of registry and election in their respective counties at such times and in such quantities as will enable the provisions of this act to be fully carried out. *Sections 61 and 360.*

August 12th, 1916—

On or before this date the Secretary of State shall furnish to the county clerk of each county having one or more municipalities of ten thousand inhabitants, identification statements for use in the registration of voters on election day, *Sections 360 and 366.*

August 15th, 1916—

On or before this date the State Civil Service Commission shall hold county examinations for position as member of the boards of registry and election. Said commission shall give five days' notice to applicants of the time and place of holding such examination. *Section 322.*

August 20th, 1916—

On or before this date the State Civil Service Commission shall certify results of examinations to the Judge or Judges of the Court of Common Pleas of such county. *Section 322.*

August 25th, 1916—

On or before this date the county board of election shall select from the eligible list certified to the Judge or Judges of the Court of Common Pleas, the members of the board of registry and election. *Section 323.*

August 28th, 1916—

On or before this date petitions nominating candidates for Members of House of Representatives, in districts comprising more than one county, shall be filed with the Secretary of State. *Section 354.*

On or before this date petitions nominating candidates for the office of Governor and United States Senator shall be filed with the Secretary of State. *Section 354.*

September 1st, 1916—

The term of office of the members of the district boards of registry and election shall begin on this date. *Section 17.*

Petitions for nomination for members of State Senate, members of State Committee, members of General Assembly and for County officers, under the provisions of the direct primary act, must be filed with the County Clerk on or before this date. *Sections 290, 381 and 436.*

On or before this date the Secretary of State shall certify names of candidates for Governor, United States Senator and for Member of House of Representatives to county clerks. *Section 354.*

On or before this date petitions endorsing candidates for Member of House of Representatives, in districts situated wholly within a single county, shall be filed with County Clerk. *Section 354.*

***September 2nd, 1916—**

On or before this date, candidates for office of Governor, United States Senator and for Member of House of Representatives (in districts comprising more than one county) shall designate committee to receive and disburse campaign funds. *Section 390.*

September 5th, 1916—

On this date the boards of registry and election in all municipalities shall meet for organization, and at such meeting shall elect one of its members as judge, who shall be chairman of said board, and another of its members as inspector. *Section 19.*

September 6th, 1916—

On or before this date the County Clerk shall certify the names of persons endorsed for the office of Governor, United States Senator, Member of House of Representatives and for all county officers, to Municipal Clerks. *Sections 290 and 354.*

*On or before this date, candidates for Member of State Senate, Member of State Committee, Member of General Assembly, county officers and Member of House of Representatives (in districts wholly within a single county) shall designate committee to receive and disburse campaign funds. *Section 390.*

On or before this date petitions endorsing the candidates to be voted for at the primary election within a single borough, ward or township or municipality, and for Members of Board of Chosen Freeholders to be voted for in two or more municipalities, must be filed with the Municipal Clerk. *Sections 243, 292, 292a, 312 and 358.*

On or before this date the township and municipal clerks shall have procured suitable rooms in which to make the registry of voters and to hold a primary and general election, and immediately on procuring rooms, such clerk shall notify the respective registry and poll clerks or boards of registry and election of the location of such rooms. *Section 250.*

September 11th, 1916—

*On or before this date candidates to be voted for at primary election, within a single municipality, shall designate committee to receive and disburse campaign funds. *Section 390.*

Vacancies occurring in the membership of the committee appointed to disburse campaign funds shall be filled on or before this date. *Section 390.*

Should any person endorsed in any petition as a candidate to be voted for at any primary election die or decline to stand as such candidate, by writing filed with the municipal or township clerk on or before this date, the vacancy shall be filled within three days by a majority of the persons who signed the petition in and by which the person so declining was endorsed, signing and filing with the municipal or township clerk a new petition, which petition shall be verified by three of the signers. *Section 258.*

September 12th, 1916—

On or before this date the municipal clerks shall cause notice to be published, setting forth that the board of registry and election, in and for each election district, in all municipalities, will meet for the purpose of making a registration of voters, and that a primary election will be held on the day and between the hours and at the places provided in this act, and making known the time, place and purpose of holding the special, municipal or general election thereafter. *Section 7.*

On or before this date the municipal clerks shall have delivered registry lists, primary books, &c., to the members of the board of registry and election.

The first registry day in cities, townships, boroughs and villages having a population exceeding ten thousand, shall be held on this date. *Sections 21 and 345.*

In municipalities having a population of ten thousand or less, the board of registry and election shall meet and make the registry by a house-to-house canvass. *Sections 23 and 347.*

If the ballot book of any district has been lost or destroyed, the members shall make up the primary registry from the names on the primary books of the two political parties of the last previous primary, together with the names of the voters filed with them by affidavits. *Section 345.*

September 14th, 1916—

Vacancies among candidates at primary election must be filled on or before this date. *Section 258.*

On or before this date affidavits must be delivered by the chairman of the board of elections to the county board of elections. *Section 32, 35 and 345.*

September 15th, 1916—

The house-to-house canvass made in municipalities of ten thousand and less shall be completed on or before this date. *Sections 23 and 347.*

On this date the county board of election shall sit for the purpose of revising and correcting the primary registry list. *Section 348.*

September 16th, 1916—

On or before this date the poll clerks in each election district shall give notice of the time and place of the primary election by five or more advertisements posted at conspicuous places in the district. *Section 252.*

Registry list in municipalities of ten thousand or less open for inspection. *Section 347.*

September 19th, 1916—

On or before this date the municipal clerk shall furnish to the board of registry and election a sufficient number of official sample primary ballots, envelopes, etc. *Section 346.*

September 20th, 1916—

On or before 12 o'clock of this date it shall be the duty of the board to prepare and deposit, in the post-office, stamped envelopes containing a copy of the primary ballot, etc. *Section 346.*

September 23rd, 1916—

On or before this date the clerks of all towns, townships, boroughs, cities or other municipalities shall certify, under their hands and seals, and forward to the clerk of the county in which such municipality is located, a statement designating the town, township, borough or city or other municipal offices which are to be filled at such general election, and the number of persons to be voted for each office. *Section 286.*

September 25th, 1916—

On this date the municipal clerk shall deliver (at his office) to the clerks of the board of registry and election the ballots and ballot boxes. *Section 251.*

September 26th, 1916—

PRIMARY ELECTION.—Polls open from seven A. M. to nine P. M. *Section 349.*

The second registry day in all municipalities in this State shall be held on this date. *Section 349.* Before opening the polls each member of the board of registry and election shall take an official oath. *Section 252.* The agents appointed to act as challengers, before so acting, shall file their appointment papers with the board of registry and election. *Section 264.* Upon opening the election, the election clerks shall deliver to the election boards the ballots and ballot boxes, taking a receipt therefor. *Section 251.*

September 27th, 1916—

On this date the clerks of the Board of Registry and Election *outside* of municipalities of over ten thousand population, shall post corrected list of names entered on registry, in some conspicuous place in said district. *Section 24.*

September 28th, 1916—

On or before this date, the State Committee shall issue a call for State convention. *Section 331.*

September 30th, 1916—

On or before this date claims on account of expenses incurred in conducting primary election must be presented to the committee appointed to disburse campaign funds, and be paid by such committee within fifteen days after the completion of the official canvass. *Section 396.*

The annual meeting of each *county committee* shall be held on this date. Notice to be given by the respective chairmen thereof. *Section 382.*

Members of county committee and city committee take office on this date. *Section 382.*

October 2nd, 1916—

On or before this date candidates and committees appointed to receive and disburse funds, must file a statement, under oath, showing the disbursement of funds for primary election. *Sections 391 and 392.*

The annual meeting of each *City Committee* shall be held on this date. Notice to be given by chairman. *Section 382.*

October 3rd, 1916—

On this date the State Convention of each party shall be held at the City of Trenton. *Section 381.*

October 6th, 1916—

On or before this date any person nominated as a candidate at the primary election, and who has not filed a certificate consenting to stand as a candidate, shall file certificate of acceptance with the county clerk. *Section 313.*

(The above section has no relation to nominations made by convention or nominations made at primary election.)

October 9th, 1916—

On or before this date all certificates and petitions naming candidates to be voted for by all the voters of a single county, or more than a single political division thereof, or where candidates for city offices are to be voted for upon the county ticket, shall be filed with the county clerk. *Section 42.*

October 11th, 1916—

Expenses incurred by committees appointed to receive and disburse campaign funds, for primary election shall be paid on or before this date. *Section 396.*

October 13th, 1916—

On or before this date all certificates and petitions naming candidates for office to be filled by the voters of the entire State, or of any Congressional District, or of any political division greater than a single county, shall be filed with the Secretary of State. *Section 42.*

***October 14th, 1916—**

On or before this date candidates to be voted for by the voters of a single county, or more than a single political division, shall designate a committee to receive and disburse campaign funds. *Section 390.*

***October 18th, 1916—**

On or before this date candidates for office to be filled by the voters of the entire State, or of any Congressional District, or of any political division greater than a single county, shall designate committee to receive and disburse campaign funds. *Section 390.*

October 23rd, 1916—

On or before this date the Secretary of State shall certify to county clerks the names of candidates nominated by certificates of petitions filed in his office. *Section 43.*

On or before this date vacancies occurring by death, removal, resignation or otherwise, the candidates for which are to be nominated by petition and voted upon at a primary election, which vacancy shall occur prior to the general election, but subsequent to the last day for filing the appropriate petition, the proper committee shall select candidates to fill said vacancy. *Section 317.*

Vacancies occurring in the membership of the committee appointed to receive and disburse campaign funds, for general election shall be filled on or before this date. *Section 390.*

October 24th, 1916—

On or before this date municipal clerks shall cause notice to be published of the time, place and purpose of the general election and the office to be filled thereat. In municipalities of more than 15,000 population, notice must include description of boundary lines. *Section 7.*

On or before this date the chairman of the county committee may petition the Court of Common Pleas for the purpose of transporting voters from residence to polling place. *Section 402.*

In cities, towns, townships, boroughs and villages exceeding ten thousand inhabitants, the third meeting of the boards of registry and election shall be held on this date. *Section 359.*

On or before this date in municipalities of over ten thousand affidavits of voters who by reason of illness or absence from the State are unable to register personally, must be filed with the board of registry and election. *Section 360.*

On this date a copy of the completed register made by each board of registry and election, in municipalities exceeding ten thousand inhabitants, shall be delivered by the chairman of the board of registry and election to the county clerk. *Section 361.*

October 25th, 1916—

On or before this date, candidates for public office may file declarations with the officer with whom original certificates or petitions of nomination have been filed. *Sections 44 and 45.*

October 28th, 1916—

On or before this date the county clerk shall furnish the municipal clerks a sufficient number of sample ballots and one-cent stamped envelopes. *Section 375.*

October 31st, 1916—

On or before this date the municipal clerk shall deliver said ballots and envelopes to the members of the board of registry and election. *Section 375.*

On this date boards of registry and election, outside of cities, towns, townships, boroughs and villages, exceeding ten thousand inhabitants, have their final meeting, from 1 to 9 o'clock P. M., for the revision and correction of registers. *Section 24.*

November 1st, 1916—

On this date a copy of the completed register made by each board of registry and election, in municipalities of ten thousand or less, shall be delivered by the chairman of the board of registry and election to the county board of elections. *Section 24.*

On or before 12 o'clock of this day, the members of the board of registry and election shall deposit envelopes containing sample ballots, in the post office. *Section 375.*

November 2nd, 1916—

On or before this date the clerk designated by chairman of board of registry and election (municipalities of ten thousand and less), shall file copy of additional list of names, added to register on October 31, 1916, with municipal clerks. *Section 24.*

On this date the judges of the board of registry and election, in municipalities of ten thousand inhabitants or less, shall deliver to the county boards of election all affidavits made before them on the registering of voters, and take a receipt from the county board for the same. *Sections 32 and 35.*

On or before this date all official ballots shall be printed and in the possession of the county or municipal clerk, where the same shall be subject to inspection and examination by candidates and their agents. *Section 53.*

On or before this date, all papers appointing agents or challengers shall be filed with the county board of elections, who shall thereupon issue to such agents or challengers the permits prescribed by law. *Section 63.*

County clerks to certify to Secretary of State names and addresses of nominees for Legislature. *Section 42.*

November 2nd and November 4th, 1916—

On these dates the county boards of elections shall sit at their office from 8 o'clock A. M. until 5 o'clock P. M., for the purpose of adding names to and erasing names from the register of voters. *Sections 25 and 30.*

November 4th, 1916—

On or before this date county clerks shall provide ballots for municipal clerks, etc. *Section 54.*

November 6th, 1916—

On this date the county board of elections shall deliver to the county clerk, at or before 8 o'clock in the forenoon, all the copies of the registers which were in their possession on the Saturday next preceding said general election. *Section 281.*

On or before this date the township or municipal clerks shall have fitted up the election rooms with booths, etc. *Section 78.*

On this date it shall be the duty of the Justices of the Supreme Court, assigned to hold the Circuit Court, and the Judge of the Court of Common Pleas in each of the several counties of this State, or one of said Judges, to sit and hold a Court of Common Pleas at the Court House in their respective counties to revise and correct the registry of election. *Section 279.*

On this date the municipal clerk shall deliver, at his office, ballot boxes, ballots, etc., received from county clerk. *Section 54.*

November 7th, 1916—(Election Day)—

On this date it shall be the duty of the Justice of the Supreme Court, assigned to hold the Circuit Court, and the Judge of the Court of Common Pleas in each of the several counties of this State, or one of said Judges to sit and hold a Court of Common Pleas at the Court House in their respective counties to inquire into the legality of persons registered. *Section 280.*

Polls open from 6 o'clock A. M. to 7 P. M. *Section 4.* Ballots shall be delivered by the clerks of election to the board of registry and election. *Section 54.* Agents or challengers shall file their permits with the board of registry and election. *Section 63.* The board shall supply each booth with black lead pencils. *Sections 78 and 377.* After the polls are closed and the canvass of votes completed all ballots which have been cast, whether estimated and canvassed or rejected, and the poll-list (in municipalities of less than ten thousand inhabitants) and tally papers, shall be placed in the ballot-box which shall be locked and sealed and delivered to the proper custodian thereof. *Section 99.*

November 8th, 1916—

On this date the checked register used at the general election shall be filed with the county clerk and the ballot-box keys deposited with said county clerk. *Section 67.*

November 11th, 1916—

Persons furnishing transportation to voters shall file with the Court of Common Pleas a voucher setting forth the number of voters transported, etc. *Section 403.*

November 13th, 1916—

The county board of elections will meet on this date, at 12 o'clock noon, at the Court House of the county, to discharge their duties as a county board of canvassers. *Sections 103 and 117.*

November 17th, 1916—

Claims for expenses incurred in the conducting of the general election must be presented on or before this date. *Section 396.*

Applications for recount shall be made on or before this date. *Section 159.*

November 18th, 1916—

On or before this date the county clerks shall deliver certified copies of the determination of the county canvassers to the persons elected. They shall also transmit a copy of said determination to the Secretary of State. *Section 114.*

November 22nd, 1916—

Expenses incurred by committee appointed to receive and disburse campaign funds, for general election, shall be paid on or before this date. *Section 396.*

November 27th, 1916—

On or before this date the treasurer of the committee appointed to receive campaign contributions shall file an itemized statement with the officer with whom the original petition has been filed. *Section 391.*

November 28th, 1916—

The State Board of Canvassers will meet on this date, at the hour of 2 o'clock in the afternoon, in the Senate Chamber at Trenton, to discharge their duties as said Board. *Section 119.*

December 7th, 1916—

Any action, under the corrupt practices act, contesting any election, must be commenced on or before this date. *Section 431.*

*The corrupt practices act provides that all designations of campaign committees shall be filed within five days after the filing of petitions of nomination. The dates given in this index are the last possible dates for filing such designations when candidates file their original petitions of nomination on the last day permitted by law.

An Act to Regulate Elections.

Revision of 1898

APPROVED APRIL 4TH, 1898.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Times and Places of Elections.

1. On the Tuesday next after the first Monday in November in each year, an election shall be held in each county, to elect for such county such a number of persons to be members of the general assembly as such county shall be entitled to elect; which election shall be known as the general election.
Date of general election.
Assemblymen elected.
2. All municipal, local or charter elections shall continue to be held on the days heretofore fixed or established by or pursuant to, any law of this state applicable thereto.
Dates of local elections.
3. On the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred, and in each fourth year thereafter, an election shall be held to elect such a number of persons to be electors of president and vice-president of the United States as this state shall be entitled to elect or appoint; each of whom shall be a male citizen of the United States, of the age of twenty-five years or upwards, and an inhabitant of this state, and shall have been a citizen of the United States seven years next preceding such election.
Election of presidential electors.
Their qualifications.
4. In all elections the polls shall open at six o'clock in the morning and close at seven o'clock in the evening, and
Time of opening and closing polls.

shall be kept open during the whole day of election, between the hours aforesaid; *provided*, the board of election may adjourn such election from one o'clock until two o'clock in the afternoon, or for such shorter time, between those hours, as they shall see fit.

Secretary of State to notify county clerks of election of certain officers.

Amended
P. L. 1915,
p. 282.

Municipal clerks notified.

Election of sheriff and other county officers.

Notice by county clerk.

Notice of election by municipal clerk.

Amended
P. L. 1915,
p. 282.

Notice of registration and primary election.

5. The Secretary of State shall, between the fifteenth day of July and the first day of August, in every year wherein electors of President and Vice-President of the United States, a representative in the United States Senate, members of the House of Representatives, a Governor, or Senator for any county, or any of them, are to be elected, direct and cause to be delivered to the clerk of the county wherein any such election is to be held, a notice stating that such officer or officers are to be elected at the ensuing election; and the clerk of such county shall, between the first day of August and the first day of September, cause a copy of the same, certified under his hand to be true and correct, to be delivered to the clerk of each municipality in said county.

6. The sheriffs and coroners shall be elected by the people of their respective counties at the general election once in every three years; and the clerks, registers of deeds and surrogates of counties shall be elected by the people of their respective counties, at the general election, once in every five years; and it shall be the duty of the clerk of every county, between the first day of August and the first day of September, immediately preceding the expiration of the term of office of any such officer, to direct and cause to be delivered to the clerk of each township, city or other municipality in said county, a notice that such officer or officers, as the case may be, will be chosen at the ensuing election.

7. The clerk of every municipality shall, at least two weeks preceding the primary election, hereinafter provided for, cause a notice to be published in not more than two newspapers of the county wherein such municipality is situate, as said clerk shall select, setting forth that the boards of registry and election in and for each election district in such municipality will meet for the purpose of making a registration of voters on the days and between

the hours hereinafter designated for that purpose; and that a primary election for making nominations will be held on the day and between the hours and at the places as provided in this act; and making known the time, place and purpose of holding the special, municipal or general election thereafter, and any election consolidated therewith, and the office or offices to be filled thereat; said notice shall be published in such newspaper or newspapers at least once, and not more than twice, in each week; *provided*, that if there be a newspaper printed and published in such municipality, said newspaper shall be one of the newspapers so selected by the municipal clerk; at least two weeks preceding the special, municipal or general election, and any election consolidated therewith, the municipal clerk shall cause a notice to be published in like manner under his hand setting forth the time, place and purpose of holding such special, municipal or general election, and any election consolidated therewith, and the office to be filled thereat; in municipalities having more than fifteen thousand population, said notices in the newspaper or newspapers selected, shall include a short description of the boundary lines of each election district therein, and the place of meeting of the board of registry and election.

Proviso;
newspaper
notices.

8. The clerk of every township, city or other municipality shall, prior to the date of the first meeting of the board of registry and election, procure for each election district in his township, city or municipality, a suitable room in which said board shall meet to make and revise the register of voters, and also to hold the election; and said clerk shall immediately notify said board of the location of such room; and if any such clerk shall omit to procure such room, then the meetings of such board and such election shall be held at such place as a majority of such board shall designate; if, in the judgment of said clerk, it shall be inadvisable to hold the election in the place designated for holding the meeting of the board of registry, then it shall be lawful for such clerk to designate another place for holding such election, or to cause a

Suitable
room in
which to
hold election.
[Amended,
P. L. 1908,
p. 398.]

Street
booth.

Proviso.

building to be constructed in the street outside the curb line immediately in front of, or as near as possible to, the place of meeting of such registry board, in which to hold such election; *provided*, no election shall be held in any building in which is located or maintained any inn or tavern or saloon where intoxicating liquors are licensed to be sold.

Election Districts.

9. Supplemented by P. L. 1911, p. 276, sec. 1. See paragraph 318 *post*.

10. Supplemented by P. L. 1911, p. 276, sec. 1, 318 *post*.

11. Supplemented by P. L. 1911, p. 277, sec. 2, 319 *post*.

12. Supplemented by P. L. 1911, p. 277, sec. 2, 319 *post*.

County Boards of Election.

County
boards of
election;
how com-
posed.
[Amended,
P. L. 1906,
p. 502.]

13. There shall be in every county a county board of elections, to consist of four persons, to be commissioned by the governor in the month of July in each year, and who shall be legal voters within the counties for which they are respectively appointed; the chairman of the state committee of each of the two political parties which at the last preceding general election cast the largest and next largest number of votes in the state for members of the general assembly may, in the month of June, in writing, nominate two citizens from each county, qualified as aforesaid, for members of the county board of elections in and for such county; and if such nominations be made in said month of June, the governor shall commission such appointees; *provided*, that two of such members shall be appointed for the term of one year from the first day of August next, and the remaining members shall be appointed for the term of two years from the first day of August next; and thereafter one member of such board shall be appointed annually by each of said chairmen, in

Proviso.

Annual ap-
pointment.

the same manner, in the month of July, and shall continue in office for two years from the first day of August next after their appointment; in case of the death or disability of any member of said boards, the governor shall be forthwith notified thereof by the chairman or secretary of said board; the governor shall cause notice of such death or disability to be given to the chairman of the state committee who appointed such member; and such chairman shall, within six days thereafter, appoint a successor who shall thereupon be commissioned by the governor; all appointments to fill any vacancies occurring in said boards shall be for the unexpired term only; if, in any case, either of said chairmen shall fail to send a list of appointments to the governor within the time aforesaid, the governor shall make such appointments of his own selection from the citizens of the county in which such vacancy shall occur; said county boards of election shall be provided by the board of freeholders of the respective counties with a suitable office and furniture, in the court house of the county for which they are respectively appointed, or in a building as near as possible adjacent thereto; the terms of all members of the county boards of elections, as now constituted, shall cease and determine on the first day of August next.

Vacancies.

If chairmen fail to appoint, then governor.

Suitable quarters provided.

14. Said county boards of election shall, at ten o'clock in the forenoon, on the first Tuesday in August, or on such other day as they may agree on within the first ten days of August, in each year, meet at the court house, or other place provided as aforesaid, in their respective counties and organize by electing one of their number to be chairman and one to be secretary; but the chairman and secretary shall not be the appointees of the same chairman; in case of a failure to elect such chairman for three ballots or viva voce votes, then the oldest (in years) of such board shall be the chairman thereof; and on failure to elect such secretary for three ballots or viva voce votes, the member of the board next oldest (in years) to the chairman of such board; the chairman and secretary shall not be the appointees of the same chairman.

Organization of county boards of election. [Amended, P. L. 1906, p. 503.]

District Boards of Registry and Election.

15. Supplemented by P. L. 1911, p. 277.

See paragraphs 320 to 324.

Official oath
of members
of county
and district
boards.

16. The members of said county boards of election and also the members of said district boards of registry and election shall, before entering upon the performance of their duties, severally take and subscribe an oath or affirmation, in writing, before a duly qualified officer, faithfully and impartially to discharge all their duties as such officers, to the best of their skill and ability; which oaths or affirmations shall be forthwith forwarded to the county clerk, and by him filed in his office, and after qualification as aforesaid, any member of either of said boards may, at any meeting thereof, administer any oath or affirmation required or permitted to be taken by this act.

[Amended,
P. L. 1899,
p. 166.]

Term of
board of
registry and
election.
Proviso.

17. The terms of office of the members of the district boards of registry and election shall begin on September first, *provided, however*, that in case of a vacancy occurring in said board on the day of election, by reason of the absence or disability of a member, except in case of removal by order of the county board of elections, such vacancy shall be immediately filled by the member of the district board who was nominated by the same chairman as the member whose place has become vacant; such appointment shall be immediately reported to the county board of elections.

Meetings of
district
boards,
where held.

18. The district boards of registry and election shall severally meet within the district for which they are appointed, at such place as shall be designated by the clerk of the municipality, on the days hereinafter designated, for the purpose of making a registration of voters.

Organisation
of district
boards.
[Amended,
P. L. 1906,
p. 508.]

19. Each of said boards shall, on the seventh day next preceding the first day of registration, meet together and organize, and at such meeting shall elect one of its members as judge, who shall be chairman of said board, and another of its members as inspector; such judge and inspector shall be the nominees of different chairmen, and the other two members of the board shall be clerks of election, and shall perform all the duties re-

quired by law of the clerks of registry and election; in case of failure to elect a judge as herein provided, after balloting or voting three times, the member of the board oldest in years shall become judge, and in case of failure to elect an inspector, after balloting or voting three times, the next oldest member of the board in years shall become the inspector; *provided*, that both chairman and inspector shall not be nominees of the same chairman

Proviso.

20. Supplemented by Act of 1915 (P. L. 1915, p. 282), amending sec. 7.

Registration for the General Election in Municipalities of Over Ten Thousand Population.

21. The district boards of registry and election in all districts in municipalities having by the next last preceding census a population exceeding ten thousand, shall meet annually on the second Tuesday in September, at one o'clock in the afternoon, and continue in session until nine o'clock in the evening, for the purpose of registering the names of all legal voters, residents of the election district for which they are appointed; * * * supplemented by P. L. 1911, 291, etc. Paragraph 345 *post*.

Supple-
mented
by P. L.
1911, p. 295,
sec. 30.
First
meeting for
registration
for general
election in
cities having
over 10,000
inhabitants.
Supple-
mented by
P. L. 1911,
p. 295.

22. The said district boards of registry and election in the aforesaid municipality shall again meet in the same place and at the same hour, finally on Tuesday two weeks next preceding the general election, for the purpose of revising and correcting the register, and of adding thereto the names of all persons entitled to the right of suffrage in that election district at the next election, who shall appear in person before them and establish to the satisfaction of the majority of the board that they are entitled to vote in that election district at the next election therein. The district board of registry and election shall erase from such register the name of any person or persons, who after a fair opportunity to be heard shall be shown by due proof not to be entitled to vote in such election district.

Third meet-
ing of
board of
registry.

Supplemented by P. L. 1911, p. 291, etc., paragraphs 349, 359 *post*.

**Registration for the General Election in Districts
Outside of Municipalities of Over Ten
Thousand Population.**

Registration
by canvass-
ing in mu-
nicipalities
under 10,000.
[Supple-
mented by
P. L. 1911,
p. 294, &c.]

Proviso.

Board may
divide in
canvassing.

23. The boards of registry and election in all election districts in the state, outside of *municipalities* having a population exceeding *ten* thousand, shall meet annually on the *second* Tuesday of September in each year, at ten o'clock in the forenoon, and having first organized shall proceed to ascertain, and truly and accurately enter in canvassing-books, to be provided for that purpose, the names and residences and street numbers, if any, of all legal voters residing within their respective election districts entitled to vote therein at the next election by making actual inquiry at every dwelling-house or habitation, or of the head of every family residing therein, and shall continue such enumeration of voters from day to day thereafter, on successive days, until the same be completed; *provided*, that such enumeration shall terminate on or before the Friday next succeeding; the name of every such voter, as aforesaid, whose place of abode shall be in any family or habitation, or who may be casually or temporarily absent therefrom when such enumeration is made, shall be entered in said canvassing-books; in making such enumeration the said boards of registry and election may divide their election districts into subdivisions, and any two of their number, designated by the chairman and inspector, together and in company, may make the enumeration in such subdivisions; no name shall be entered on such canvassing-books without the concurrence of both of said members, or if said enumeration be made by the entire board, without the concurrence of a majority thereof; on the *fourth* Tuesday of September next preceding the general election said boards shall meet at the places provided in this act for holding the primary election in their respective election districts at seven o'clock in the forenoon, and continue in session until nine o'clock in the evening, at which time and places said boards shall

hold the primary elections as provided in this act and shall also proceed to transcribe and make up from said canvassing-books two lists or registers of the names arranged in alphabetical order, together with the residences and street numbers, if any, of all persons in their respective election districts entitled to the right of suffrage therein at the next election, or who shall personally appear before them for that purpose, or who shall be shown to the satisfaction of such board of registry and election by the affidavit in writing of some voter in that election district to be a legal voter therein. See P. L. 1911, p. 294, secs. 30, 31, 32. Paragraphs 347, 348, 349, *post*.

Register
made from
canvassing
books.

24. When, on the day of their meeting, as provided in the next preceding section, the board of registry and election shall have completed said two registers, they shall certify on each of them and announce publicly the number of names entered thereon; on the day succeeding such meeting a correct list of the names entered on said registers, with residences and street numbers, if any, shall be posted by each of said clerks, in hand-bill form, in some conspicuous public place within such election district; both of said lists shall be certified by the board of registry and election, or a majority thereof, to be correct copies of the original registers; the said board of registry and election shall also meet on Tuesday next preceding the general election at the place of their former meeting, at the hour of one o'clock in the afternoon, and remain in session until nine o'clock in the evening, for the purpose of revising and correcting the original registers, of adding thereto the names of all persons entitled to the right of suffrage in that election district at the next election, who shall appear in person before them or shall be shown by the written affidavit of some voter in such election district to be a legal voter therein, and of erasing therefrom the name of any person, who, after a fair opportunity to be heard, shall be shown not to be entitled to vote therein; *provided*, that no name shall be entered on said registers or

Two copies
of registers
to be posted.

Third
meeting.

Names
erased from
register.

Proviso.

either of them from said canvassing books, or stricken therefrom, without the concurrence of a majority of all the members of said boards of registry and election; upon the completion of said registers the said board of registry and election shall publicly announce and certify on each register the number of names entered thereon, and one of said clerks, to be designated by the chairman of said board of registry and election, shall prepare an additional copy of the names, residences and street numbers, if any, on such completed register, which additional copy, after being certified as aforesaid, shall be by said clerk, within two days after said last-mentioned Tuesday, filed with the clerk of the township, city or other municipality within which such election district may be situate; on the day succeeding the completion of said registers, one copy thereof shall be delivered by the chairman of said board to the county board of elections to be filed by them, and one copy shall be retained by him for use by the district board on the day of election.

Additional copy filed with municipal clerk.

Disposition of the two original registers.

Meeting of the County Board of Elections Before the General Election.

Meetings of county board before general election.

Procedure to add names to register.

25. It shall be the duty of the several county boards of elections to sit at the office so provided for them on Thursday and on Saturday next preceding the day of the general election, from eight o'clock in the forenoon till five o'clock in the afternoon of each of said days; and in case the name of any legal voter in any election district has been improperly or inadvertently left off the registry list, he may, on said days, apply in person to the county board of elections for the purpose of having his name placed upon the register; and the county board of elections, upon such application to them, and upon proper evidence satisfying them that such person is a legal voter entitled to vote at any such election, may give their certificate to that effect, and shall add his name to the proper register on file with them; such

voter may present such certificate to the board of registry and election of the district in which he is entitled to vote, and said board shall receive and file said certificate and add his name to the register, provided said board shall be satisfied that he is entitled to vote in said district, and he shall thereupon be allowed to vote at said election, and no name shall be added to the said register after the last registry day preceding the day of election except in the manner provided for in this section; *provided, however*, that certificates of transfer may be issued and shall be accepted in the cases hereinafter mentioned; said board may order erased from any register the name of any person who shall be shown to the satisfaction of the board, for any cause, not to be entitled to vote at the next election in the election district wherein he is registered; *provided*, that no name shall be ordered erased from any such register in the absence of the person to be affected thereby, unless it shall appear to the board by affidavit of some qualified voter that notice has been given such person, either personally or by leaving the same at his assigned place of residence, with some person above the age of fourteen years, at least two entire days before such meeting of the board, that at such meeting application would be made to have the name of such registered person stricken from the register, on the grounds on which said application would be based; when any name shall be stricken from any register as aforesaid, a certificate of such board, stating the name erased and the cause therefor, and from what election district, shall be given to the person applying to have such name erased, and such board shall erase the name of such person from the register on file with them, and on the delivery of such certificate to the board of registry, the name of such person shall be erased by them from the register in their possession, and his vote shall not be received if he presents the same.

Procedure to
erase names
from
register.

Supple-
mented by
P. L. 1911,
p. 295.

Meetings to
make or
revise
registers for
charter elec-
tions in cities
having over
10,000
inhabitants.
Supple-
mented by
P. L. 1911,
p. 294, &c.

Date of
meetings.

Two copies
to be posted.

Disposition
of two
original
registers.

Registration in Municipalities of Over Ten Thousand Population for Charter Election.

26. In each municipality of this state having a population exceeding ten thousand it shall be the duty of the district boards of registry and election for all elections other than general elections to make, alter or revise, as the case may require, the register of voters within and for the several election districts of such city; *provided, however*, that where the election districts have remained unchanged it shall not be necessary for said boards to make a new register of the voters for such election districts, but only to revise and correct the register made for the last general election; and for that purpose the said boards shall meet at such places in their respective election districts as shall be designated by the clerk of such city, on Tuesday four weeks next preceding such election, and finally on the Tuesday two weeks next preceding the same; and meetings to begin at one o'clock in the afternoon and to continue until nine o'clock in the evening, for the purpose of revising and correcting the register and of adding thereto the names of all persons entitled to the right of suffrage in that election district at the said election, who shall appear in person before them and establish to the satisfaction of the majority of the board that they are entitled to vote in that election district at said election, or who shall be shown by the written affidavit of a voter residing in the same election district to be so entitled to vote; a separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and shall be signed by him; on the day succeeding such first meeting, each of the clerks shall post, in hand-bill form, in some conspicuous place in such election district, a copy of the revised register; and on the day succeeding such second meeting, one copy thereof shall be delivered by the chairman to the county board of elections to be filed by them; and one copy shall be retained by him for use by the district board of election.

27. The county board of election shall deliver to the city clerk of the city in which an election for municipal officers or any special election is to be held, seven weeks at least prior thereto, the copies of the registers filed with said county board of elections at the previous general election, to be by the said city clerk delivered to the district boards of registry and election, six weeks at least preceding any such election.

Registers to be delivered by county boards to city clerk for use of district boards.

28. It shall be the duty of the city clerk in each of the said cities to give notice by publication in at least two of the newspapers published in said city, of the time and place of the meetings of the district boards of registry and election, at least two weeks, once in each week before the first day upon which such boards shall meet; in cities of the first class the said notice shall include a short description of the boundary lines of each election district and the location of the polling place therein.

City clerk to publish notice of registration.

Registration in all Other Municipalities for Charter and Local Elections.

29. In all cities of this state having a population not exceeding ten thousand and in all townships, towns, boroughs and municipalities other than cities, there shall be no new registration required for any election other than the general election; but the several boards of registry and election shall procure and use in their respective districts at such election the copy of the register filed with the clerk of the municipality within which such election district may be situate; said boards shall meet on the Tuesday next preceding such election, to revise and correct said register in the manner hereinbefore provided for the revision of the registers in cities having a population exceeding ten thousand; and each election clerk of every district shall cause at least three notices of the time and place of such meeting to revise and correct said register, to be conspicuously posted in public places within such district, at least one week before such meeting; no copy

Meetings to revise registers for local elections in districts outside of cities having over 10,000 inhabitants. [Amended, P. L. 1901, p. 257.]

Notices of meeting.

Copy of register delivered to county board.

of such revised and corrected register need be posted, but a copy shall be filed with the county board of elections within one day thereafter.

Meeting of County Boards of Election Before Charter Elections.

Meetings of county board before charter or local elections.

30. It shall be the duty of the several county boards of elections to sit on Thursday and also on Saturday next preceding any township, municipal, charter, local or special election in their respective counties, for the purpose of adding to the register the names of any legal voters entitled to vote at such election, and erasing therefrom the name of any person not so entitled to vote; and such county board shall proceed in all respects as is provided for the revision by them of the register for the general election.

County boards to appoint district boards for new or altered districts.

Duty of such district boards.

31. Whenever the boundaries of any election district in any township, city or other municipality within this state shall have been changed or any new district created between the time of holding the general election and the time of holding the next charter, local or special election, or where the boundaries of any election district shall not be the same as at the general election, it shall be the duty of the county board of elections, on being notified thereof, to appoint a board of registry and election for such election district, in the manner hereinbefore provided for the appointment of district boards of registry and election; and such district board shall thereupon proceed to make and revise a register of all the names of the legal voters in such election district; such register shall be made and revised so far as is practicable at the times and in the manner hereinbefore provided for the making and revising of the register for the general election; in all newly-created municipalities, the registry for the first election shall be made as herein directed, unless otherwise provided by any general law relating to such newly-created municipalities.

Proceedings Applicable to all Registrations.

32. The proceedings of every board of registry shall be open to the public, and all persons entitled to the right of suffrage in the election district shall be entitled to be freely heard in relation to the revision and correction of the registers; whenever a voter shall be registered by affidavit a separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and be signed by him; such affidavits shall be preserved in the custody of the member of the board of registry and election acting as judge until the completion of the registry; all such affidavits shall then be delivered by such judge to the county board of elections, who shall give a receipt for the same, stating the number received; and the said county board of elections shall preserve such affidavits for six months after election, or until required to produce the same by any court or tribunal authorized to require their production as evidence in such court or tribunal.*

Proceedings
of district
boards to be
public.

Registration
by affidavit.

Disposition
of affidavits.

33. No person, except as hereinafter provided, shall be allowed to vote unless his name shall be found on the register; and if any member or members of the board of registry and election shall willfully refuse to enter in the canvassing-books or upon the registers the name of any person legally entitled to vote, or shall register the name of any person contrary to the provisions of this act, or on the day of election shall receive the vote of any person whose name shall not appear on the revised and corrected register, unless such name shall have been ordered added thereto in the manner herein provided, such member or members shall be punished, on conviction, by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, in the discretion of the court.

Who may
vote.

Penalty for
illegal regis-
tration, etc.,
by board.

*Registration by affidavit prohibited in municipalities above 10,000 except for primary elections; see P. L. 1911, pages 292 and 306. Sec. 345 and 350 *post*.

False registration.

34. Any person who shall cause or procure his name to be registered in more than one election district, or shall cause or procure his name or that of any other person to be registered, knowing that he or the person whose name he has procured to be registered, is not entitled to vote in the election district wherein said registry is made, at the next election to be held therein, or who shall falsely personate any registered voter, shall be punished for each offense by a fine not exceeding one thousand dollars, or imprisonment for a term not exceeding five years, or both, at the discretion of the court.

Penalty.

Registration by affidavit.

35. Every board of registry and election shall place upon said registers the name of any person who shall appear before them and satisfy them by an affidavit in writing that such person will, on the day of the next ensuing election, be entitled, under the constitution and laws of this state, to exercise the right of suffrage in that election district; and any person swearing falsely in any such affidavit shall be guilty of perjury, and incur the penalty thereof; every such affidavit shall within two days be forwarded to the county board of elections, to be by them kept as provided in the thirty-second section of this act.

Penalty.

Disposition of affidavits.

Person registered in district moves into another district.

36. If any person shall, after being registered in one election district, move into another election district in the same county, he may apply to the board of registry and election, on election day, to have his name erased from the register and a certificate given him to that effect, which certificate shall be signed by said board or a majority thereof, and on presentation of such certificate to the board of election of the district where he then resides, his name and residence (including street and number, if any) shall be placed on the register of such district, where he shall then be allowed to vote; provided, that said latter board may require him to make a statement, under oath, to satisfy themselves of his right to vote; the presentation of such certificate shall be noted on the register and the certificate preserved, and at the close of the election attached to the register and filed therewith with the county clerk.

Supplemented by P. L. 1911, p. 312, paragraphs 367 and 368 *post*.

37. Whenever the time fixed by law for holding any municipal, local or charter election falls upon the day fixed by law for the meeting of the boards of registry to prepare a register for the ensuing general election, such meeting of the boards of registry shall be held upon the day following such municipal, local or charter election.

Procedure where election falls on registration day.

Nomination by Convention. (a)

38. Any convention of delegates or nominating body of a political party as hereinafter defined, and also individual voters by petition, to the number and in the manner hereinafter specified, may nominate candidates for public office, whose names shall be printed, written or placed upon the ballots as hereinafter provided and directed; a "convention of delegates" or "nominating body of a political party," within the meaning of this act, is an organized assemblage of delegates or voters, representing a political party which, at the general election next preceding the holding of such convention or nominating body, polled for members of the general assembly at least two per centum of the total vote cast in the state, county or other division or district in and for which the nomination is made.

Nomination of candidates by conventions, etc.

"Convention of delegates" and "nominating body of a political party" defined.

39. All nominations made by any such convention of delegates or nominating body shall be certified in a written or printed, or partly written and partly printed, certificate of nomination, which shall contain the name of each person nominated, his residence and post-office address, the office for which he is named, and shall designate in not more than three words the title or name of the party or principles which such convention or nominating body represented; said certificate shall be signed by the presiding officer and secretary of such convention or nominating

Nominations to be certified and verified by oath.

(a) The only candidates for office who may now be nominated in convention by delegates are candidates for presidential electors and candidates of parties casting at least two and less than five per centum of the total vote of the county.

body, who shall add to their signatures their respective places of residence and post-office addresses, and severally make oath before an officer qualified to administer the same, that the affiants were respectively such officers of such convention or nominating body, and that said certificate and the statements therein contained are true as they verily believe; and a certificate that such oath has been taken shall be made and signed by the officer administering the same and endorsed upon or attached to such certificate of nomination. (a)

Names of
factions;
how selected
when party
is divided.

40. In case of a division in any party and claim by two or more factions to the same party name or title, the secretary of state or the county or municipal clerk, as the case may be, shall give the preference of name or title to the convention of delegates or nominating body held at the time and place designated in the call of the regularly-constituted party authorities; and if the other faction shall present no other party name or title, the secretary of state or county or municipal clerk, as the case may require, shall select a name or title and place the same at the head of the list of candidates of said faction on the ballot; if two or more conventions be called by authorities or bodies claiming to be the regularly-constituted authority or body of any party, the secretary of state or county or municipal clerk, as the case may require, shall select suitable names or titles to distinguish the several factions, and the ballots shall be printed accordingly.

Nominations by petition.

Nomination
of candidates
by petition.

41. Besides the nomination of candidates by a convention of delegates or nominating body of a political party, as hereinbefore provided, candidates for public office may also be nominated by "petition" in manner following: Such petition shall be addressed to the secretary of state or clerk of said county, city or other municipality, as may be proper, and shall set forth the name or names and

Contents of
petition.

(a) As to amending a defective certificate of nomination, see section 235 *post*.

places of residence and post-office addresses of the candidates for the offices to be filled, the office for which each candidate is named, and that such petitioners are legally qualified to vote for such candidates; said petition may also designate, in not more than three words, the title of the party or principle which the candidates therein named represent, and shall be signed by legally qualified voters of this state, residing within the district or political division in and for which the officer or officers nominated are to be elected, equal in number to at least two per centum of the entire vote cast for members of the general assembly, at the last preceding general election in the state, county, district or other political division in and for which the nominations are made; *provided*, that when the nomination is for an office to be filled by the voters of the entire state, eight hundred signatures in the aggregate for each candidate nominated in said petition shall be sufficient; *provided, also*, that no more than one hundred signatures shall be required to any petition for any officers to be elected, save only such as are to be voted for by the voters of the state at large; in case of a first election to be held in a newly-established election district, county, city or other political division, the number of fifty signatures to a petition shall be sufficient to nominate a candidate to be voted for only in such election district, county, city or other political division; every voter signing a petition shall add to his signature his place of residence, post-office address and street number, if any; such voter may sign one petition for each officer and no more, but all the names need not be signed to one petition; before any petition shall be filed as hereinafter provided, at least five of the voters signing the same shall make oath before a duly-qualified officer that the said petition is made in good faith, that the affiants verily believe all the signatures thereto to be genuine and those of duly-qualified voters; and a certificate that such oath has been taken shall be indorsed upon or annexed to the petition by the officer before whom the same is made. (a)

Number of
signers
required.

Residence
and address
to be added.

Petition to
be certified
by oath.

(a) As to amending a defective petition, see section 235 *post*.

Certificate of Nomination and Petition.

Time for
filing certifi-
cates and
petitions.

(Amended,
P. L. 1912,
p. 766.)

Acceptance
by candi-
dates.

County
clerks to
certify post-
office ad-
dresses to
secretary of
state.

42. All certificates of nomination and all petitions naming candidates for office to be filled by voters of the entire state, or of any congressional district, or of any political division greater than a single county, shall be filed with the secretary of state at least twenty-five days previous to the election at which the candidates nominated are to be voted for; all certificates and petitions naming candidates to be voted for by all the voters of a single county or more than a single political division thereof, or where candidates for city offices are to be voted for upon the county ticket, shall be filed with the clerks of the respective counties wherein the officers nominated are to be voted for at least thirty days prior to such election; all other certificates and petitions shall be filed with the clerks of the respective municipalities wherein the candidates nominated are to be chosen at least twenty-five days before the election whereat they are to be voted for; all certificates and petitions when filed shall be opened, under proper regulation, for public inspection, and the same shall be preserved for one year; candidates nominated for any office in any certificate or petition shall manifest their acceptance of such nomination by a written acceptance thereof, signed by their own hand, upon or annexed to and filed with such certificate or petition, or if the same person be named for the same office in more than one petition annexed to one of such petitions; the name of any candidate who shall fail in such manner to signify his acceptance of the nomination shall not be printed upon the ballots; it shall be the duty of the county clerks to certify to the secretary of state, within five days prior to the general election, the names, places of residence and post-office addresses of the several candidates nominated for senator and members of the general assembly, together with the title of the party nominating said candidates, and whether by convention or petition, with the dates of holding such convention and of the filing of such certificates of nominations and petitions.

43. It shall be the duty of the secretary of state at least fifteen days before any election whereat any candidates nominated in any certificate or petition filed with him is to be voted for to make and certify, under his hand and seal of office, and forward to the clerks of the several counties of the state a statement of all the candidates nominated by certificate or petitions filed in his office for whom voters within any such county may be by law entitled to vote at such election; such statement, in addition to the names of the candidates for president and vice-president of the United States, if any such have been included in any such certificate or petition filed with him, shall also contain the names and residences of all other candidates, the offices for which they are respectively nominated, and the names of the parties by which or the political appellation under which they are respectively nominated; candidates nominated by petition, without distinctive political appellation, shall be certified as independent candidates.

Names of candidates certified by secretary of state to county clerks.
[Amended, P. L. 1903, p. 608.]

Independent candidates.

44. Whenever any person nominated for public office by any of the modes in this act provided, shall, at least thirteen days before the day of election, in a writing signed by him and duly acknowledged, notify the officer with whom the original certificate of his nomination was filed that he declines such nomination, the same shall be void, and his name shall not be printed upon the ballots; the officer to whom such notification is given shall forthwith inform, by mail or otherwise, the chairman and secretary whose names are attached to the original certificate of nomination, if the nomination was by certificate, that such nomination has been declined; or if the nomination was by petition, then the officer to whom the notification or declination is given shall forthwith, by mail or otherwise, inform at least five of the persons who signed the petition nominating such candidate that such nomination has been declined.

Procedure in case nominee declines.
[Amended, P. L. 1903, p. 609.]

45. Should any person so nominated die before election day or decline the nomination as in this act provided, or shall any certificate or petition of nomination be in-

Provision for filling vacancy when nominee dies, declines, etc.
[Amended, P. L. 1903, p. 609.]

sufficient or inoperative, the vacancy or vacancies thus occasioned may be filled in the manner required for original nominations; if the original nomination was made by a party convention which had delegated to a committee the power to fill vacancies, such committee may, upon the occurring of such vacancies, proceed to fill the same; the chairman and secretary of such committee shall thereupon make and file with the proper officer a certificate setting forth the cause of the vacancy, the name of the person nominated, the office for which he was nominated, the name of the person for whom the new nominee is to be substituted, the fact that the committee was authorized to fill vacancies, and such further information as is required to be given in any original certificate of nomination; the certificate so made shall be executed and sworn to by the chairman and secretary of such committee in the manner prescribed for the original certificate of nomination, and shall, upon being filed at least thirteen days before election, have the same force and effect as an original certificate of nomination; when such certificate shall be filed with the secretary of state, he shall, in certifying the nominations to the various county clerks, insert the name of the person who has thus been nominated to fill a vacancy, and in the event that he has already sent forward his certificate, he shall forthwith certify to the clerks of the proper counties the name and description of the person so nominated to fill a vacancy, the office he is nominated for, the party or political principle he represents, and the name of the person for whom such nominee is substituted.

Objections to
certificates of
nomination,
where filed.
[Amended,
P. L. 1903,
p. 700.]

Notice.

46. All certificates of nomination which are in apparent conformity with the provisions of this act shall be deemed to be valid, unless objection thereto shall be duly made in writing and filed with the officer with whom the original certificate was filed within two days after the filing of said certificates, (a) in case such objection

(a) Where a certificate of nomination is in apparent conformity with the provisions of this act, and no objection in writing is filed, the officer with whom the certificate is filed must treat it as valid. *Hoos v. O'Donnell*, 31 Vr. 85.

is made, notice thereof signed by said clerk shall forthwith be mailed to all candidates who may be affected thereby, addressed to them at their respective places of residence as given in said certificate of nomination; the said officer with whom the original certificate was filed shall in the first instance pass upon the validity of such objection, unless an order shall be made in the matter by a court of competent jurisdiction, and file his determination in writing in his office at least thirteen days before the election, which determination shall be open for public inspection, and the justice of the supreme court holding the circuit court in and for the county in which any certificate of nomination shall be filed, on the application or complaint, duly verified, of any candidate setting forth any invasion or threatened invasion of his rights under the certificate of nomination filed with any county or municipal clerk, is hereby empowered and required to determine upon said application or complaint in a summary way and make such order thereupon as will protect and enforce the rights of such candidates. (a)

Procedure.

47. When electors for president and vice-president of the United States are to be voted for, the names of the candidates for president and vice-president, for whom the electors named in any certificate or petition are nominated to vote, may be included in such certificate or petition; and when so included the names of such presidential and vice-presidential candidates, together with the party names and political appellations, names of other candidates for any offices, if any, designated in the certificate or petition, shall be printed upon the ballot in the manner hereinafter directed.

Names of candidates for president and vice-president may be printed on ballots.

Official Ballots.

48. All ballots cast at any election shall (except as herein otherwise provided) be printed and distributed

Ballots furnished at public expense.

(a) *Query*.—Is not this section so imperfect with respect to the power conferred upon the justice of the supreme court as to render its provisions entirely nugatory? *In re Frederick Kraft*, 22 *New Jersey Law Journal* 373.

of such revised and corrected register need be posted, but a copy shall be filed with the county board of elections within one day thereafter.

Meeting of County Boards of Election Before Charter Elections.

Meetings of
county board
before
charter or
local
elections.

30. It shall be the duty of the several county boards of elections to sit on Thursday and also on Saturday next preceding any township, municipal, charter, local or special election in their respective counties, for the purpose of adding to the register the names of any legal voters entitled to vote at such election, and erasing therefrom the name of any person not so entitled to vote; and such county board shall proceed in all respects as is provided for the revision by them of the register for the general election.

County
boards to
appoint dis-
trict boards
for new or
altered
districts.

Duty of such
district
boards.

31. Whenever the boundaries of any election district in any township, city or other municipality within this state shall have been changed or any new district created between the time of holding the general election and the time of holding the next charter, local or special election, or where the boundaries of any election district shall not be the same as at the general election, it shall be the duty of the county board of elections, on being notified thereof, to appoint a board of registry and election for such election district, in the manner hereinbefore provided for the appointment of district boards of registry and election; and such district board shall thereupon proceed to make and revise a register of all the names of the legal voters in such election district; such register shall be made and revised so far as is practicable at the times and in the manner hereinbefore provided for the making and revising of the register for the general election; in all newly-created municipalities, the registry for the first election shall be made as herein directed, unless otherwise provided by any general law relating to such newly-created municipalities.

Proceedings Applicable to all Registrations.

32. The proceedings of every board of registry shall be open to the public, and all persons entitled to the right of suffrage in the election district shall be entitled to be freely heard in relation to the revision and correction of the registers; whenever a voter shall be registered by affidavit a separate affidavit shall be required for each person so registered, which shall contain the address of the affiant and be signed by him; such affidavits shall be preserved in the custody of the member of the board of registry and election acting as judge until the completion of the registry; all such affidavits shall then be delivered by such judge to the county board of elections, who shall give a receipt for the same, stating the number received; and the said county board of elections shall preserve such affidavits for six months after election, or until required to produce the same by any court or tribunal authorized to require their production as evidence in such court or tribunal.*

Proceedings
of district
boards to be
public.

Registration
by affidavit.

Disposition
of affidavits.

33. No person, except as hereinafter provided, shall be allowed to vote unless his name shall be found on the register; and if any member or members of the board of registry and election shall willfully refuse to enter in the canvassing-books or upon the registers the name of any person legally entitled to vote, or shall register the name of any person contrary to the provisions of this act, or on the day of election shall receive the vote of any person whose name shall not appear on the revised and corrected register, unless such name shall have been ordered added thereto in the manner herein provided, such member or members shall be punished, on conviction, by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, in the discretion of the court.

Who may
vote.

Penalty for
illegal registra-
tion, etc.,
by board.

*Registration by affidavit prohibited in municipalities above 10,000 except for primary elections; see P. L. 1911, pages 292 and 306. Sec. 346 and 350 post.

the receipt of the ballots thus prepared from the clerk of such township, city or other municipality, accompanied by a statement, under oath, of the person preparing the same, that the same have been so prepared and furnished because the original ballots have so failed to be received or have been destroyed or stolen, and that other official ballots could not be obtained in time for such election, or where such board of election has caused such unofficial ballots to be prepared, the board of election shall cause the ballots so substituted to be used at the election; if from any cause neither the official ballot nor ballots otherwise prepared as herein prescribed shall be ready for distribution at any polling place, or if the supply of ballots shall be exhausted before the polls are closed, unofficial ballots, made as nearly as possible in the form of the official ballot, may be used; * * * the mode and manner of voting shall, nevertheless, in all respects conform as nearly as possible to the mode and manner of voting hereinafter prescribed.

56. Supplemented by P. L. 1911, p. 318 }

57. Supplemented by P. L. 1911, p. 318 } See paragraph 375.

Distinguish-
ing mark on
ballot
renders it
void.

58. If any ballot voted at any election shall have thereon, either on its face or back, any mark, sign, designation or device whatsoever, other than is permitted by this act, whereby such ballot can or may be identified or distinguished from other ballots cast at such election, such ballot shall be absolutely void, and shall not be canvassed or counted for any candidate named thereon. * * *

How voter
may alter
ballot.
[Supple-
mented by
P. L. 1911,
p. 319.]

59. Nothing in this act contained shall prevent any voter * * * from writing or pasting thereon the name or names of any person or persons for whom he desires to vote for any office or offices; the ink or lead pencil to be used in writing any name or names upon the ballots shall be black in color, and the use of any other colored ink or pencil shall invalidate the entire ballot; and all pasters used shall be printed with black

ink on white paper only, and the use of any other kind or style of pasters shall invalidate the entire ballot.

Ballot-Boxes.

60. The board of chosen freeholders of each county shall provide and keep in good repair ballot-boxes for the use of each election district, which boxes shall be made at least one foot in depth, width and length measuring the same on the exterior thereof; and when new boxes are required may provide a ballot-box known as the "safety ballot-box," of Camden, New Jersey; no sum in excess of twenty-five dollars shall be paid for each ballot-box; said ballot-box shall be so constructed as to have four glass sides, supported by four upright columns, and no bolts, screws or other attachments by which the box is held together shall be exposed on the outside; and the said ballot-box shall be secured by three patent locks, no two keys of which shall be alike; and these locks in turn shall be covered by an outer door, connected by a rod running to a dial in front of the box, which is sealed and in full view of the voter, so that each vote cast will be recorded in figures plainly visible in the front of the box; the said board of chosen freeholders shall also provide a sufficient number of additional boxes for the use of each election district at the primary elections provided for in this act, which additional boxes shall be at least one foot in depth, width and length, measuring the same on the exterior thereof, with four glass sides, and with an opening in the top for the reception of the ballots.

Ballot-boxes,
by whom
provided, and
description
thereof.
[Amended,
P. L. 1903,
p. 627.]

Additional
boxes for
primary
elections.

See P. L. 1911, p. 322. See paragraph 380, *post*.

Election Blanks and Books.

61. The secretary of state shall, at the expense of the state, in all cases where the ballots are provided and furnished by the county clerks for any election, provide proper and sufficient canvassing-books, poll-books, regis-

Election
blanks, etc.,
furnished by
secretary of
state.
Distributed
by secretary
of state.

Distributed
by county
clerks.

ter-books, copies of the election laws then in force, pamphlet of instructions for election officers and voters, blanks for the official oaths and for election returns for the proper carrying into effect the provisions of this act, and furnish a sufficient supply of the same to the clerks of the different counties of the state, for use in such counties, at least thirty days before the same shall be required for use; and the said county clerks shall cause the same to be delivered to the different boards of registry and election in their respective counties at such times and in such quantity as will enable the provisions of this act to be fully carried out; * * *

Election
blanks, etc.,
furnished by
municipal
clerk for
local
elections.

62. The clerk of every township, city and other municipality shall provide and furnish for use at all local, municipal and special elections, all necessary canvassing-books, poll-books, registry-books, blanks for election returns, and all other blanks and supplies necessary for the proper carrying into effect the provisions of this act; and said clerk shall cause the same to be delivered to the boards of registry and election in each election district, at his office at such times as will enable the provisions of this act to be fully carried out.

Challengers.

Agents or
challengers
at polls,
by whom
appointed.

63. The chairman of the county committee of any political party that has duly nominated any candidate for public office to be voted for at any election by all the voters within said county or said political division thereof greater than a single municipality, or where the election is within and for a single municipality only, or any subdivision thereof, then the chairman of the committee of the political party making such nomination within and for such a single municipality, or such division thereof, may appoint two agents for each election district in his county or municipality, as the case may be; and any candidate duly nominated by petition for any office, whose name may appear upon the ballot to be used in any election, may

[Amended,
P. L. 1899,
p. 166.]

likewise appoint two agents for each district; *provided, however,* that only two agents shall be allowed for each election district to represent all the candidates nominated in and by the same petition or group of petitioners; such agents shall be the authorized agents and challengers for their respective parties and candidates, and shall be at liberty to challenge the right to vote therein of any person claiming such right; the appointment of agents shall be made in writing under the hand of the person making the appointment, and shall specify the names and residences of the agents and the election districts for which they are severally appointed; such appointment papers shall be filed with the county board of elections, five days before the election, who shall thereupon issue, under their hands, to the persons named in such appointment papers, permits for them to act as agents of their respective parties or candidates at the election district specified; such permits shall be filed by the persons named therein with the board of election in the district named therein, as evidence of their authority to be present in the polling place; and such permits may be issued and revoked and others issued in their stead at any time up to and including the day of election; *provided, however,* that when a permit shall be revoked, the new permit in the place thereof shall be issued upon the nomination of the same person or officer upon whose nomination the original permit was issued; said agents may be present inside the railed inclosure while the votes cast at any election at which they were agents are being counted, and hear and see said ballots counted.

Their
powers.

How
appointed.

Permits
issued.

Agents
present when
votes are
counted.

Method of Conducting Elections.

64. The boards of registry and election shall, in their respective election districts, hold and conduct all general, municipal, local and special elections to be held throughout the state.

District
boards to
conduct all
elections.

65. At the opening of the election, each of the keys of the locks of the ballot-box shall be taken by a different member of the board, who shall keep the same until the

Custody of
ballot-box
keys during
election.

statement of the result of the election shall be made and certified, as directed by this act, and who shall not during that time suffer either of the other members of the board, or any other person, on any pretense, to take or have the same; and in all cases in which the members of such board are directed to lock the ballot-box, each of the locks thereof shall be locked by the members of the board who shall have the key belonging thereto, as directed by this act.

Proclamation
on opening
polls.

Exhibition of
ballot-box.

66. The boards of registry and election, before they receive any vote, shall make public proclamation of the opening of the election, and of their readiness to receive the votes of the voters; immediately before proceeding to receive the votes, such board shall, in an open and public manner, exhibit the ballot-box, so that those present may see that there is nothing contained therein, and thereupon shut and lock the same; leaving open the aperture in the lid thereof, and thereupon the election shall be opened.

Poll-book at
election, by
whom and
how kept.
[Supple-
mented by
P. L. 1911,
p. 309.]

67. One of the members of the board acting as clerk of election, to be designated by the judge, shall keep at such election a poll-book, * * * such clerk shall write a heading to the list of names so recorded in the following or like form: "Names of voters at an election held in the ——— district of ———, in the county of ———, on the ——— day of ———, in the year of our Lord one thousand ——— hundred and ———, for ———" (naming the offices to be filled), and filling up the blanks in the form above given to conform to the facts of the case.

Register,
poll-book
and keys,
where
deposited.

* * * After the canvass of the votes the register so kept and checked shall be filed by him with the clerk of the county, and the poll-book shall be deposited in the ballot-box as herein required, and the keys of each ballot-box deposited with the county clerk.

Who may
vote.

68. Every person qualified to vote in any election shall at any time after the opening of the same, except during any period for which the board of election shall have adjourned, be at liberty to claim his right to vote therein in such district, and such person shall claim such right in person before such board; and on such claim being made, one of such board shall audibly and publicly announce

the name of the claimant; and the ballot of such claimant shall remain in his own hand until such board shall have decided to receive the same.

69. Every person possessing the qualifications required by the constitution, and being duly registered as required by this act, shall be entitled to vote in the election district in which he actually resides, and not elsewhere. (a)

Where to
vote.

70. No person who shall have a right to vote at any election shall be arrested by virtue of any civil process on the day on which such election shall be held.

Freedom
from arrest.

71. No person shall be entitled to vote who shall have been convicted of any crime which excludes him from the right of suffrage under the constitution of this state, viz., blasphemy, treason, murder, piracy, arson, rape, sodomy, or the infamous crime against nature committed with mankind or with beast, polygamy, robbery, conspiracy, forgery, larceny of above the value of six dollars, perjury or subornation of perjury, unless he shall have been pardoned or restored by law to the right of suffrage; if a person be challenged as convicted of any of the above named crimes, he shall be required to answer in relation to such alleged conviction; and if he shall admit that he has been so convicted, he shall not be permitted to vote unless he shall make oath that he has been pardoned or restored by law to the right of suffrage; but if he shall deny that he has been so convicted, no proof of such conviction shall be received, other than the duly authenticated record thereof, except such proof as may be necessary to establish his identity with the person named in such record, or may be adduced by him to rebut the evidence of identity produced on behalf of the challenge; but if any person so convicted shall vote at any such election, unless he shall have been pardoned or restored by law to the right of suffrage, he shall be deemed guilty of a misdemeanor, and on conviction

Who dis-
qualified by
reason of
crime.

Challenge
for crime.

(a) This section will not be held to disfranchise voters who vote at a polling place selected and advertised by the proper officers as the polling place of the district in which such voters reside, notwithstanding the place so selected, but at which the election is otherwise lawfully held, is outside the territorial limits of the election district for which it is provided, no fraud or other harm being shown. *O'Keefe v. Lane*, 54 Atl. Rep. 442.

Penalty for
convicted
person
voting.

thereof shall be punished by a fine not exceeding two hundred dollars, or imprisonment at hard labor not exceeding two years, or both.

When
members
of district
board shall
challenge.

72. The members of the boards of registry and election, respectively, shall, at such election, challenge every person who shall claim to have a right to vote therein, whom they shall know, suspect or believe not to be qualified or entitled to vote therein.

Challenge as
an alien.

73. If any person shall be challenged, as not qualified or entitled to vote, and the person challenging him shall specify a ground for such challenge to be that the person so challenged is an alien, the judge of election may forthwith tender to him an oath or affirmation in the following form:

"You do swear (or affirm, as the case may be), that to the best of your knowledge, information and belief, you were born a citizen of the United States, and that you do not owe allegiance to any foreign prince, potentate, state or sovereignty"; and if the person so challenged shall refuse to take the oath or affirmation so tendered to him, he shall be deemed and taken to be an alien, unless he shall produce at the time of claiming his vote, to such board, a lawful certificate, issued out of and under the seal of some court of record, having authority to admit aliens to the rights of a citizen of the United States, showing, in case the person producing the same shall claim to be the person named therein, that he has been admitted to the rights of a citizen of the United States, or, in case the person producing the same shall claim to have derived the rights of such citizen through the naturalization of his parent, then that the person alleged to be such parent has been admitted to the rights of such citizen; and in the former case the said judge shall tender to the person so challenged an oath or affirmation in the following form:

"You do swear (or affirm, as the case may be), that you are the person named in the certificate of naturalization which you have produced to the board"; and in the latter case, an oath or affirmation, in the following form:

Form of
oath.

"You do swear (or affirm, as the case may be), to the best of your knowledge, information and belief, that the

person named in the certificate of naturalization which you have produced to this board was your parent, and that you were at the time of the naturalization of your parent under the age of twenty-one years, and resident of the United States"; and if the person so challenged shall in either case refuse to take the oath or affirmation so tendered to him, he shall be deemed and taken to be an alien.

74. If any person shall be challenged, as not qualified or entitled to vote, the said judge may forthwith tender to the person so challenged an oath or affirmation, in the following form:

Challenge as not qualified or entitled to vote.

"You do swear (or affirm, as the case may be), that you are a citizen of the United States; that you have resided in this state one year, and in this county five months next before this election, and not elsewhere; that you are now a resident in this election district; that, as far as you know and verily believe, you are twenty-one years of age, and in all respects qualified to vote in this election, in this election district, and that you have not voted elsewhere in this election"; and if the person so challenged shall refuse to take the oath or affirmation so tendered to him, he shall be deemed not to be qualified or entitled to vote.

75. The board of registry and election shall in no case receive the vote of any person, unless they shall be satisfied that such person is in all respects qualified and entitled to vote; and, for the purpose of satisfying themselves as to the right of any person who shall claim a right to vote, they shall have power to examine such person, and any other person or persons, under oath or affirmation, touching such right, except as hereinbefore restricted; and if any member of such board shall receive, or assent to receive, the vote of any person challenged, without requiring such person to take the oath or affirmation hereinbefore prescribed to be made upon such challenge, and such person shall not be qualified and entitled to vote, such member so receiving or assenting to receive such vote shall be deemed and taken to have received the same knowing it to be illegal. See P. L. 1911, p. 311, sec. 49. See paragraph 365, *post*.

How board may satisfy themselves regarding one's right to vote.

Board to
question
challenged
person.

76. Upon any question or challenge of a voter duly registered it shall be the duty of the board of registry and election, and the privilege of all its members, to put all such questions as are proper to determine the right of such voter to vote; and the question as to the admission of this vote shall be put in the following form: "Shall this voter's ballot be received by this board?"

Proceedings
on adjourn-
ment before
close of
election.

77. Whenever, before the close of the election, an adjournment shall be ordered by the said board, they shall state in the poll-book, immediately after the last name therein, in words, written at full length, the whole number of the names of the voters in the poll-book, to which the members of such board shall sign their names; and shall unlock and open the ballot-box, place and secure the bar or bolt in the lid thereof, in such manner as to prevent the insertion in the ballot-box of any ballot or other thing, place therein the poll-book and shut and lock the same; and when the period of adjournment shall have expired, such board shall unlock and open the ballot-box, take therefrom the poll-book, remove such bar or bolt, so as to leave open the aperture in the lid thereof, and shut and lock the same; and during every such adjournment the ballot-box shall remain in the possession and under the care of one or more members of such board, to be appointed by such board for that purpose, who shall keep the same, during such adjournment, in public view.

Polling-
booths; how
constructed
and
furnished.

78. The clerks of the several townships, cities or other municipalities, charged with the duty of providing in each election district a suitable room in which to hold the election shall have constructed therein and ready for use before each election day, booths or compartments with swinging doors, so arranged that some part of the person of the voters standing in said booths may be seen from the outside of the booths when the door is closed; in which booths voters shall prepare their ballots secretly and screened from the observation of others; each booth shall contain a counter or shelf suitably placed to enable voters to place their ballots thereon while preparing the same for voting; the number of such booths shall not be less than one for

every one hundred votes cast at the next preceding general election held in such district, and not less than two such booths shall be provided in any polling place; said booths shall be erected within a railed inclosure separating the same from the remainder of the room; not more than one person, except as hereinafter provided, shall be permitted to enter or be in the same booth at one time; the said booths shall be so arranged and constructed that all the officers conducting the election can see whether more than one person enters or is in any booth at the same time; each booth shall be kept provided by said election board with (a) sufficient * * * lead pencils; the ballot-boxes at every polling-place shall be within said railed inclosure, and so placed that the voter may deliver his ballot to the election officers after emerging from the booth, before leaving the railed inclosure within which the booths and ballot-boxes are placed; such railed inclosure shall be provided with a single entrance, by which the voters shall enter, and a single exit by which they shall leave the same; said booths shall be at all hours well and sufficiently lighted to enable voters to read and prepare their ballots with ease; except as in this act otherwise provided, no person shall be allowed within said railed inclosure while the election is in progress, other than the election officers and voters entering the same for the purpose of preparing their ballots and voting at such election; but not more than two of such voters in excess of the total number of booths shall be allowed within such railed inclosure at one time; and no person shall be allowed or permitted to be present in the polling-room outside such railed inclosure during the progress of the election, except the officers connected with the election, the several candidates, the duly authorized agents of the candidates of political parties, such voters as are present for the purpose of voting, and such officers as may be duly detailed to be present, pursuant to this act, for preserving the peace or enforcing the provisions hereof; after the hour fixed for closing the polls no voter shall be admitted within the railed inclosure, but voters already within such inclosure shall be per-

Location of
ballot-boxes.

Who allowed
within
inclosure.

Who allowed
in polling-
room outside
of inclosure.

Who may
vote after
hour for
closing polls.

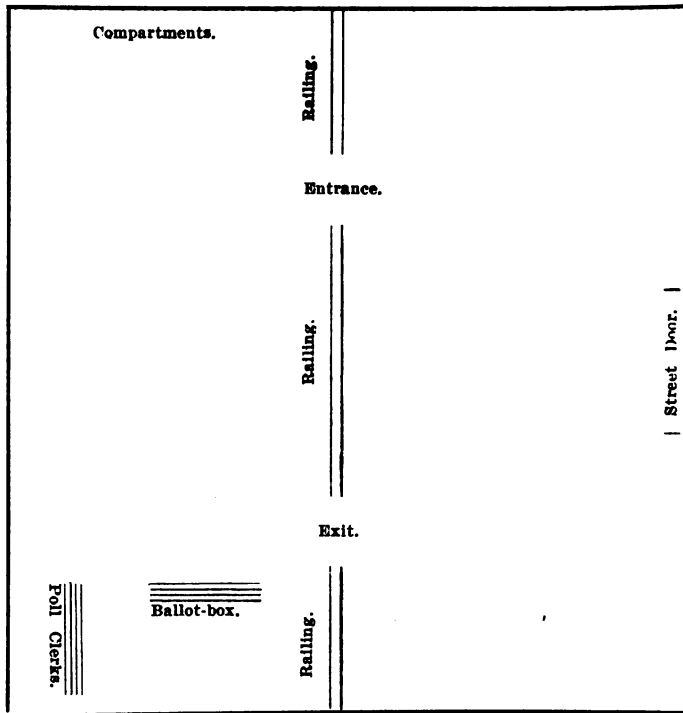
mitted to prepare and cast their ballots; the arrangement of such polling-place shall, as to said railed inclosure, and the entrance thereto and exit therefrom, and the location of the booths and ballot-box within such inclosure, be substantially as shown in and by SCHEDULE A, and forming a part hereof.

79.

SCHEDULE A.

Polling-room.

Plan for
polling-room.



Voter sup-
plied with
one ballot.

80. Immediately on entering said railed inclosure, and before entering any booth, each voter shall be furnished by the inspector of election, to be stationed in close proximity to the entrance of said railed inclosure, with one * * * of the official ballots provided for said election. * * *

81. Supplemented by P. L. 1911, p. 321, sec. 63. See paragraph 379, *post*.

82. When any legal voter shall apply to the board of registry and election in the district in which he resides, and shall find that his name upon the registry list is already checked as having voted, it shall be lawful for the board of registry and election to receive his vote, upon due proof to them that he is a lawful voter in such district and has not voted in said election.

Proceedings
when voter's
name is
already
checked off.

83. The boards of election of every election district shall preserve the peace and maintain good order in their respective polling-places, during the progress of all elections and the counting of the votes cast thereat, and to that end each member of every election board, during the progress of any election and the counting and canvassing of the votes, shall be and hereby is invested and charged with all the powers and duties of constables of this state in criminal matters; said election boards, or any two members of them, may, by writing under their hands whenever in their opinion it shall be necessary so to do, request the municipal authorities of any municipality within which their election district is situate, or the body or officer having charge and direction of the police force in such municipality, to detail one or more policemen to assist in preserving the peace and good order in and about such polling-place, which request shall forthwith be complied with as far as possible by the body or officer to whom the same is made.

Preservation
of peace and
good order
at the polls.

84. No member of any board of registry and election shall be elected to any office to be filled at the election in which he shall serve; and if any such member shall be voted for in any such election, the person or persons, to the number to be elected therein, who shall, by law, be qualified for the office or offices to be filled at such election, for whom the greatest number of votes shall have been given therein, other than such member, shall be deemed and taken to be elected, and the

Members of
board not
eligible to
elective
office.

votes which shall be given to such member shall be deemed and taken to be null and void.

Local or Charter Elections in Townships and Municipalities Other than Cities.

Act to apply to all general and city elections.

Provisions as to local elections—townships, boroughs, etc.

Booths to be provided.

No official ballots required, but furnished by candidates.

85. The provisions of this act relating to the nomination of candidates and the use of official ballots * * * shall apply to all general elections throughout this state and to the charter, local or special elections in all of the cities of this state, but shall not apply to any township, local or municipal election in any township, town (a), borough or other municipality of this state; but every township, local or municipal election in any township, town, borough or municipality, other than cities, shall be held and conducted in the following manner: The clerk of every such township, town, borough or other municipality shall, before election day, arrange the room by him provided for such election with booths, and railings, in all respects as is required in and by this act; the ballots to be used at such elections shall not be official, but shall be furnished or provided by candidates or other interested parties; such ballots shall be printed with black ink on plain white paper, after the manner and style hereinbefore provided; it shall and may be lawful for any voter at such election to erase from his ballot any name or names thereon printed, and to write or paste thereon the name or names of any person or persons for whom he may desire to vote for any office; the ink or lead pencil to be used in writing any name or names upon the ballots to be black in color, and the use of any other colored ink or pencil shall invalidate the entire ballot; all pasters shall be printed with black ink on white paper, and the use of any other kind or style of paster shall invalidate the entire ballot; * * * it shall be lawful for any candidate or other person at any such election to deliver to the board of

(a) By an amendment the provisions of the act do now apply to the charter, local, municipal and special elections in all of the cities and towns of this state and in all other municipalities of this state having a population of more than 8,000 inhabitants according to the last state or federal census. See sec. 234 *post*.

registry and election the ballots of any party or faction having candidates to be voted for at such election; which ballots so supplied, the board of registry and election shall receive and cause to be furnished to each voter; * * * if on the face or back of any ballot * * * there shall be any mark, sign, designation or device whatsoever, other than is permitted by this act, whereby such ballot * * * can or may be identified or distinguished from any other ballot * * * used at such election, the ballot * * * shall be absolutely void and not counted for any candidate named thereon; (a) the conduct of such election, the manner of voting, and of counting and canvassing the votes cast, shall conform in all respects to the provisions of this act regulating the general election, and shall be subject to all the restrictions, conditions and penalties applicable thereto.

Distinguish-
ing mark on
ballot or
envelope
renders
same void.

Ballots, how
canvassed,
etc.

Canvassing the Vote.

86. In all elections held pursuant to this act before proceeding to estimate and canvass the votes which shall have been received the clerk of the board of election keeping the poll-book shall state therein, immediately after the last name, in words written at full length, the whole number of the names of the voters in the poll-book, in the following or like form: "The whole number of the names of the persons whose votes have been received during this election is——," filling up the blank to conform to the fact; and the members of such board shall sign their names thereto.

Statement in
poll-book at
close of
voting.

87. Such board shall thereupon unlock and open the ballot-box; * * * the ballots shall then be taken singly and separately therefrom by the judge of election, * * * and while each ballot shall remain in his hands, he shall audibly and publicly read the same; and before taking another ballot from the box shall deliver the ballot open * * * to the inspector, to be examined and numbered; the inspector shall take and

Ballots, how
counted and
strung.

(a) For authorities as to what ballots shall be deemed marked, &c., see note (a) to section 58 *ante*.

examine the same; and thereupon if he shall be satisfied that the same has been correctly read, write on the back thereof the number of such ballot from one onward, in the order in which the same shall have been taken from the box; * * * the inspector shall string the * * * ballot as one ticket in the order in which the same shall be taken from the box and numbered, by means of a needle and twine to be provided for that purpose.

Clerks to
keep tally-
sheet.
Board to cast
up votes.

88. The clerks of such board, under the inspection and direction of such board, shall each make a list of the names of all persons for whom one or more votes shall have been given, designating the office which such person shall be voted for; and as each ballot shall be read he shall write the figure "1" opposite the name of each person whose name shall be contained therein, as designated for any office; when all the votes which shall have been received shall have been read, examined, numbered and strung, as above directed, such board shall carefully and truly cast up the votes given for each person for any office to be filled at such election.

Signing
returns, ex-
amination
of tally-
sheets, and
announc-
ments of
result.

89. No member of any board of registry and election shall sign any returns of election until after the completion of the counting of the votes, and his personal examination of the tally-sheets to determine the results; the counting of the votes shall commence immediately upon the closing of the polls on the day of election; the board shall proceed to read and count the votes received, and shall complete the same without delay and without adjournment, and after completing the same shall audibly and publicly announce the result thereof, particularly specifying the whole number of the voters in the poll-book, the name of each person for whom any vote shall have been given for any office to be filled by such election, and the number of votes given for each person for the office designated for him by said votes; the counting of all ballots at any election shall be open and public, but not to the extent that the number present shall hinder, delay or inconvenience

the election officers in counting the ballots and ascertaining the result.

90. The decision of a majority of the board of registry and election on any question shall be deemed and taken to be the decision of such board, and final; and if any member of such board shall dissent from any decision of the same, and shall desire to protect himself from the consequences which may result from such decision, it shall be lawful for such member to record his dissent, in cases relating to registration, in the register, and in all other cases, in the poll-book of such election, signing his name to such record with his own hand, and unless he shall do so, he shall be deemed and taken to have assented to the decision so made.

Majority to
decide
questions.

Dissent may
be recorded.

91. If, in canvassing and estimating the votes, the number of ballots shall be found to exceed the number of the names of the voters in the poll-book, then the ballots which shall remain in the box, after canvassing and estimating as many ballots as there are such names, shall be deemed and taken to be null and of no effect; * * * if any ballot shall be wholly blank, then and in every such case such ballots shall be deemed and taken to be null and of no effect; and in every case in which a ballot shall be declared null and of no effect, the same shall not be canvassed, estimated or numbered, * * * and the said * * * ballot shall then be strung in the same manner in which the other * * * ballots are directed to be strung, but on a different twine. See P. L., p. 321, sec. 62. See paragraph 378, *post*.

What ballots
wholly void.

92. If, in canvassing and estimating the votes, any ballot or ballots shall be found to contain more names for any office than there are persons to be elected to fill such office, then in every such case the ballot or ballots shall be deemed and taken to be null and void and of no effect, so far as respects the office for which there are more names than there are persons to be elected to fill such office, and no further.

What ballots
partially
void.

93. At every election the person or persons, to the

Plurality
of votes
sufficient
to elect.

number to be elected therein, who shall by law be qualified for the office or offices to be filled at such election, and for whom the greatest number of votes shall have been given therein for such office or offices, shall be deemed and taken to be elected to such office or offices; and whenever an equal number of votes shall have been given to two or more persons to fill any office for which they shall by law be qualified, the said office shall be deemed and taken to be vacant.

Equal vote
renders
office
vacant,

Statement of Result of Election.

Determina-
tion of
result of
election.
[Amended,
P. L. 1906,
p. 507.]

Returns
canvassed
next day.

Provided.

94. In every township or municipality (other than cities) containing but one election district, the members of the district board of election conducting any township, local or charter election therein shall, upon the close of the election, ascertain and determine what officers have been elected, sums of money voted, or propositions adopted, and the result of the election in all other particulars; in every township or municipality containing more than one election district the members of the district boards of election conducting any such election shall meet on the day after holding the same, at the hour of two o'clock in the afternoon, at the polling place in the district in which the township or municipal clerk may reside, and when so met shall ascertain and determine in like manner the result of said election in said township or municipality; *provided*, that when such township or municipality contains more than two election districts, two members only from the board of election of each district, to be designated by the board, shall meet in like manner and ascertain the result of said election as above provided; such determination shall be written out and signed by the election officers making the same, and forthwith delivered to and filed by the township or municipal clerk.

Duplicate
statements of
result to be
made in state
and county
elections.

95. In all elections which shall be held for state and county officers, the board of registry and election shall make duplicate statements of the result thereof, and certificates to the same, in the following or like form:

Form of Statement.

"A statement of the result of an election held in the _____ election district of the _____ of _____ in the county of _____, on the _____ day of November, in the year of our Lord one thousand eight hundred and _____, for a member of the senate, member of the general assembly, a sheriff and three coroners, for said county (or as the case may be).

Form of
statement.

The whole number of names on the register list of signature copy book is _____.

Amended
P. L., 1912,
p. 607.

The whole number of names on the poll-book is _____.

The whole number of ballots rejected is _____.

For members of the senate,

received	votes
received	votes

For members of the general assembly,

received	votes
received	votes

For sheriff,

received	votes
received	votes

For coroners,

received	votes
received	votes

We do certify that the foregoing is a true, full and correct statement of the result of the election above mentioned, and that the same exhibits the whole number of the names on the poll-book and of the ballots rejected, the name of each person for whom any vote or votes were given for any office designated for him in such vote or votes, and the number of votes given for each person for the office or offices as designated for him.

In witness whereof, we have hereunto set our hands, this _____ day of November, in the year of our Lord one thousand nine hundred and ____.

..... }
 } *Board of Registry*
 } *and Election."*

Making under each head a list of the names of all the persons for whom any vote or votes were given for the office or offices designated therein; and stating opposite to the same, in words written at full length, the number of votes given for each person for such office or offices, and filling up all other blanks in the form above given to conform to the facts of the case; and in every other election, the board of registry and election shall make statements of the result thereof, and certificates to the same, in a form similar to that above given, as far as the nature of such election will admit.

Form of
statements
in other
elections.

Statements of
result to
be filed with
proper
officers.
Amended,
P. L. 1911,
p. 723.

96. The judge of election, or such one of their number as the board of registry and election shall designate, shall, within two days next after election, personally deliver or safely transmit one of said statements of the result of such election to the clerk of the county, who shall forthwith file the same; and whenever an election shall be held for senator, members of assembly or for any county, township, city or other municipal officers, such judge or member designated shall, at the same time and with the ballot-boxes, as hereinafter provided, personally deliver or safely transmit the other of said statements to the clerk of the township, city or municipality wherein such election is held, who shall forthwith file the same; but whenever an election shall be held for member of the house of representatives or for electors of president and vice-president, or for governor, separate statements of the result of such election for representatives, electors or governor shall be made and certified by said board, and such judge or member so designated shall within two days next after such election personally deliver or safely transmit one of said statements to the clerk of the county, and shall inclose, seal up and transmit the other statement to the secretary of state by mail, directing the same in the following man-

ner: "To the secretary of state of New Jersey, Trenton, New Jersey," and the secretary of state on receiving such statement shall forthwith file the same in his office.

97. If any member of a board of registry and election who shall have been appointed by such board to deliver or transmit the statement of the result of such election shall neglect or fail to deliver or safely transmit the same within the time herein required, such member shall forfeit and pay to the county collector of such county, for the use of the county, the sum of one hundred dollars, to be sued for and recovered by such collector, with costs, in any court of competent jurisdiction; and it shall be the duty of the clerk of the county to certify to the county collector the names of all members so failing to deliver or transmit such statement; and the said county collector shall forthwith institute proceedings to recover said penalty.

Penalty for failure to transmit or deliver statement.

98. If any election officer shall fail to deliver or transmit the statements of the result of any election to the person or place, and within the time herein required, any member of the county board of elections may apply to any justice of the supreme court for an order to compel the immediate delivery of said statements, and the said justice, upon presentation of the facts which satisfy him that the said election officer has failed to deliver or transmit the same as herein required, may make an order requiring the immediate delivery thereof by said officer, and in case of failure on the part of said officer to produce the same within twenty-four hours after being served with such order, the said officer shall be deemed and considered in contempt of court, and shall be punished accordingly.

Delivery of statement may be ordered by justice of the supreme court.

Disposal of Ballot-Boxes.

99. As soon as the election shall be finished, all ballots which have been cast, whether the same have been estimated and canvassed or rejected for any cause, the poll-list and tally-papers * * * shall be carefully collected and deposited in the ballot box; and such ballot-box, after

Ballots, poll-lists, etc., placed in ballot-box.

Disposition
of ballot-
boxes in
cities.

being locked and bound with tape and sealed, shall, in all cities in this state, be immediately taken in charge by the two clerks of election, and by them forthwith carried to the office of the city clerk of the city in which such election may be held, by the most direct route, and without delay, and said clerks shall not stop at any place between the polls and the city clerk's office; the clerk of such city shall attend at his said office on election day, or appoint one of the clerks in his office to act for him, and keep his office open from the time the polls shall be closed until all the ballot-boxes used at the various polls in said city at such election shall have been delivered at his office; the clerk of such city or his subordinate whom he may have appointed to act in his stead shall enter in a book to be kept for that purpose, the exact time when each ballot-box may be delivered at said office, the district whence it was brought, names of the clerks delivering it, and the name of the police officer or other witness who may accompany them, and such other particulars as he may deem important; said book shall be filed in the office of the city clerk; in all townships and municipalities other than cities, such ballot-box shall remain in the township or other municipality, under the care and in the custody of the clerk thereof, to whom it shall be forthwith delivered by the clerks of election in the manner above directed.

Disposition
in town-
ships, etc.

See paragraph 377, *post*, for disposition of unused ballots and coupons.

Preservation
of boxes and
ballots.

100. Every city, township or other municipal clerk to whom said ballot-boxes shall be delivered, shall thereupon keep the same, with their contents, but shall not have the keys thereof in his possession until required for the next ensuing election, and shall not open or permit to be taken or opened any ballot-box deposited as aforesaid for the space of three months after the same has been so deposited, except when he shall be called upon by some court or other tribunal authorized to try the merits of such election, or to take testimony regarding the same; and after such trial or investigation, it shall be the duty of the clerk to have said box or boxes returned to his custody; *provided*,

that when any election is required to be held for any purpose within the time that said ballot-boxes are required to remain in the custody of said clerk, it shall be lawful for the judge of the circuit court of the county, upon application of the city council, township committee or governing body of any municipality, to direct the contents thereof to be removed and carefully preserved, and the said ballot-boxes to be used at such election.

101. Any person who shall willfully obstruct or interfere with the clerk or clerks on the way from the polls to the office of the city clerk, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding five hundred dollars, or by imprisonment at hard labor for any term not exceeding two years, or both.

Penalty for interfering with clerks taking box to city clerk's office.

Board of County Canvassers.

102. For all general and special elections in this state, and for all local or municipal elections in the several cities of this state, the county board of elections in each county shall hereafter be and act as a board of county canvassers; the clerk of the county shall be the clerk of the said board.

Board of county canvassers, who to be.

103. Such board shall meet on the Monday next after any such election, at twelve o'clock noon, at the court house of such county, at which time and place the clerk of such county shall attend and bring with him the statements of the result of such election which have been filed in his office.

Time of meeting. [Amended, P. L. 1903, p. 701.]

104. If the clerk of such county shall be absent at such meeting, at the time appointed therefor, the board shall forthwith proceed to appoint a fit person to be the clerk of such board, who shall obtain such statements from the office of said clerk, and before proceeding to canvass and estimate the votes the chairman of the board shall administer to the clerk thereof, and the clerk thereof shall take an oath or affirmation in the following form:

Appointment of clerk if county clerk be absent.

"You do swear (or affirm, as the case may be) that you will faithfully execute the duties of clerk of this board according to law."

Oath of clerk.

When board
may adjourn.

105. If on the day appointed for the meeting of such board, a major part of such board shall not attend at the court house of such county at the hour of twelve o'clock, noon, or if at that time the statements of the result of such election from every election district in such county shall not be produced, the members of the board then present shall adjourn to some convenient hour on the next day; and at the hour to which such adjournment shall have been ordered, the member or members then present may proceed as hereinafter directed, or may again adjourn for a period not exceeding three days, at which time the member or members then present shall proceed as hereinafter directed.

Proceedings
to obtain
missing
statements.

106. If at the time fixed for the meeting of such board the statements from every election district have not been filed with the clerk of the county, then such clerk shall forthwith, by a special messenger or otherwise, at the expense of such county, obtain such statement or statements as shall be lacking, in time to be produced to such board at their next meeting, and for this purpose either the statements directed to be filed with the county clerk or the statements directed to be filed with the clerk of any township, city or municipality wherein such election was held, or a copy certified by the secretary of state, of the statements transmitted to him, shall be sufficient; and the clerk of such board shall lay before such board, at their subsequent meeting, all such statements and certified copies as he shall have obtained as above directed.

Protection
of state-
ments
during
adjournment.

107. Whenever any board of county canvassers shall find it necessary to adjourn, as herein provided, all statements of the result of an election which shall have been delivered to such board, or to any member thereof, shall, in the presence of such board, and before it shall adjourn, be securely inclosed and sealed and delivered to the county clerk for safe-keeping until the next meeting of such board.

Board to
canvass
votes and
make two
statements
of result.

108. The members of said county board of canvassers shall proceed to examine the statements and copies of statements which shall be produced before them and

shall canvass and determine the votes cast at such election; and shall forthwith make two statements of the result of such election; each of which statements shall contain the name of each election district, the number of names of the voters on the poll-books of each election district, and of the ballots rejected, and the whole number of such names and rejected ballots in all of said election districts; the number of votes given in each election district for each person for whom any vote or votes shall have been given for any office to be filled by such election, mentioning the office for which each person shall have been designated and the name of such person (which numbers of names and numbers of votes given, and of ballots rejected, may be in figures), and the whole number of votes which shall have been given for each person for any such office, mentioning the office for which each person shall have been designated, and the name of such person (which numbers of votes and the names of persons and election districts shall be in words, written at full length), and each of such statements shall be certified to be true and correct by a certificate which shall be appended to the same, signed by the members of such board making such canvass.

Statements
to be
certified.

109. The statement and certificate shall be in the following, or like form:

"A statement of the result of an election held in the county of——, on the —— day of November, in the year of our Lord one thousand —— hundred and ——, to elect a member of the senate, members of the general assembly, a sheriff and coroners of said county (naming the officers as the case may be), made by the board of county canvassers of said county:

Form of
statement.

[Amended,
P. L. 1912,
p. 639.]

Names of persons voted for and the offices designated for each.	Names of election districts and the number of votes given for each person in each district.							Whole number of votes in the county.	Whole number of votes received by each person.
For member of senate.....									
For member of assembly.....									
For sheriff									
For coroners									
Whole number of names on the Registry List or Signature.....									
Copy Book									
Number of names on the poll-book of each district.....									
Number of ballots rejected.....									

Form of certificate appended to statement.

I do hereby certify that the foregoing is a true, full and correct statement of the result of the election above mentioned, as the same is exhibited by the statements produced and laid before the board of county canvassers according to law, and that the same exhibits the number of the names of the voters in the poll-books of the election districts, respectively, and of the ballots rejected, the whole number of the names of the voters in the poll-books of the several election districts, the name of each person for whom any vote or votes were given, the number of votes given for each person in each election district, and the whole number of votes given for each person for each office designated for him, as they appear by the statements so produced and laid before the said board. In witness whereof, I have hereunto set my hand, this _____ day of _____, in the year of our Lord one thousand _____ hundred and _____.

Chairman of the board of canvassers.

Attest: _____, Clerk."

And the blanks in the form above given shall be filled up to conform to the facts of the case.

110. Such board shall deliver one of the said statements to the clerk of the county, who shall forthwith

Disposition of statements.

file the same; and in case of an election held for members of the house of representatives, or for electors of president and vice-president, or for governor, or for senator, members of assembly, or for any county officers, the chairman of such board shall inclose and seal up the other statement and deliver or safely transmit the same so inclosed and sealed up, to the secretary of state at Trenton, so that he shall receive the same within three days next after the meeting of such board; and the secretary of state shall forthwith file the same; and in case of any municipal election in any city of this state the chairman of such board shall forthwith deliver or safely transmit such other statement to the clerk of such city, who shall file the same.

111. The board of county canvassers, in case of an election for a member of the senate, members of the general assembly, or for any county or city officer or officers, shall proceed to determine the person or persons who shall, by the greatest number of votes, have been duly elected to the office or offices for which he or they shall have been designated; and thereupon such board shall make a statement of their determination, certified to be true and correct, by a certificate appended to the same, and signed by the chairman of such board, in the presence of the clerk of such board; and the clerk of such board shall attest the signing of the same by such chairman, by signing his name thereto; and the statement of such determination, and the certificate thereto, shall be annexed to the statement of the result of the election, and shall be delivered therewith to the clerk of the county and filed in his office; in case of any election for any city officer or officers, another copy of such determination, as to such officer or officers, shall be made, signed and attested in manner aforesaid and forthwith filed with the clerk of such city.

Board to determine who are elected as legislators, county or city officers.

112. The statement of the determination of such board shall be in the following or like form:

Form of statement of determination.

"A statement of the determination of the board of county canvassers relative to an election held in the county of ——— on the ——— day of November, in the year of our Lord one thousand ——— hundred and

——, for the election of a member of the senate, members of the general assembly of this state, and a sheriff and coroners for said county (naming the officers, as the case may be).

The said board do determine that at the said election, —— was duly elected a member of the senate of this state; —— were duly elected members of the general assembly; —— was duly elected sheriff, and —— were duly elected coroners for said county (as the case may be).

I do certify that the foregoing is a true, full and correct statement of the determination of the board of canvassers therein mentioned.

In witness whereof I have hereunto set my hand this —— day of November, in the year of our Lord one thousand —— hundred and ——.

Chairman of the board of canvassers.

Attest: , Clerk."

Form of
statement in
special
elections.

And in case of a special election to fill a vacancy or vacancies, the statement of the determination of such board, and the certificate thereof, shall be in a form similar to that above given, as far as the nature of the case will admit.

In certain
cases board
to make
statement
and de-
termination.

113. The board of county canvassers in the case of an election for a member of the senate, members of the general assembly, county or municipal officers, or any of them, shall make a statement of the result thereof, and their determination as to the person or persons who shall be elected therein; and in all other cases shall make only a statement of the result of the election in such county upon the statements and copies of statements which shall be produced and laid before the board, as directed in this act.

In other
cases to make
statement
only.

County
clerk to
deliver
certified
copies of de-
termination
to persons
elected.

114. The clerk of such county, in the case of an election for senator, members of the assembly, or any county officer, shall make as many copies of the statement of the determination of such board, and the certificate appended thereto, as may be necessary, and shall certify such copies to be true, full and correct, by a certificate appended to each of them, and shall sign his name thereto, and affix thereto the seal of the county,

and shall without delay deliver one of the same to each person who shall be so elected and shall inclose, seal up and transmit another copy of the same to the secretary of state at Trenton, within five days next after the meeting of such board; and the said secretary shall file the same in his office.

115. The senate and general assembly shall convene and hold their sessions in the state house, at Trenton; and in the organization of each house the certified copies of the aforesaid statements of the determination of such board shall be deemed and taken to be prima facie evidence of the right of the persons therein mentioned to seats in the houses, respectively, to which they shall have been so determined to be elected.

Certified
copies prima
facie evi-
dence of
election of
senators and
assemblymen.

116. All the statements and copies of statements which shall be produced and laid before such board shall, by such board, be delivered to the clerk of such county, and shall be by him filed in his office.

All
statements
produced
before board
to be filed in
county
clerk's office.

117. All the proceedings of such boards shall be open and public, and a decision of the major part of the members thereof, who shall be present at such meeting thereof, shall be deemed and taken to be the decision of such board; and if any member shall dissent from a decision of the board, and shall desire to protect himself against any consequences which may result from such decision, he shall state his dissent in writing, and deliver the same to the clerk of such county, who shall file the same in his office.

Proceedings
board
public—
majority to
decide.

Dissent may
be filed with
county clerk.

Board of State Canvassers.

118. In case of any election for one or more members of the United States Senate or of the House of Representatives, or for electors of President and Vice-President, or for Governor, if it shall so happen that the Secretary of State shall not, on or before the seventh day after the time appointed for the meeting of the board of canvassers in the several counties, have received the statements of the result of such election in every county, which are hereinbefore directed to be delivered or transmitted to him by the chairman of such

In case state-
ments not re-
ceived from
county can-
vassers.

Secretary of
State to obtain
statement.

[Amended,
P. L. 1915,
p. 157.]

Statement laid
before State
canvassers.

State Board
of Canvassers;
how consti-
tuted.

[Amended,
P. L. 1915,
p. 158.]

Meeting.

board, such secretary shall forthwith, by a special messenger or otherwise, obtain such statement or statements as are lacking; and for this purpose a copy of the statement directed to be filed with the clerk of the county, certified by such clerk, shall be sufficient; and whenever and so soon as such secretary shall receive or obtain any statement of the result of such election, in any county, in the manner hereinbefore provided for, he shall ascertain whether or not such statement includes the statement of the result of such election in every election district of such county; and if it shall appear to him that the statement of the result of such election in any election district is not exhibited by or included in the statement of the result of such election, in such county, he shall forthwith ascertain whether or not a copy of such lacking statement has been received in his office; and if it shall appear to him that such copy has not been so received, he shall forthwith, by special messenger or otherwise, obtain a copy of the statement directed to be filed with the clerk of such county, certified by such clerk, which shall be sufficient; and such secretary shall, on the twenty-first day next after the day of such election, produce and lay before the board of canvassers all such statements and copies as shall relate to such election, which shall have been received or obtained by him as hereinbefore provided for.

119. The Governor shall attend at Trenton on the twenty-first day next after the day of election, and summon to attend him on that day four or more of the members of the Senate, provided said members of the Senate shall represent each political party in the Senate, for the purpose of canvassing and estimating the votes given for each person for whom any vote or votes shall have been given for one or more members of the United States Senate or of the House of Representatives, or for electors of President and Vice-President, or for Governor, and of determining and declaring the person or persons who shall, by the greatest number of votes, have been duly elected to such office or offices; and such members of the Senate as shall be summoned shall attend at Trenton on that day for that purpose; they shall meet in the chamber of the Senate, or some other

convenient place at Trenton, at the hour of two o'clock in the afternoon, and shall constitute a Board of State Canvassers; and the Governor shall be the chairman thereof, and the Secretary of State shall be the clerk thereof.

120. The chairman of such board shall administer to each member thereof, and each member thereof shall take, an oath or affirmation in the following form:

Oath of
members of
state board.

"You do swear (or affirm, as the case may be) that you will faithfully and impartially execute the duties of a member of this board according to law"; and thereupon one of the members of such board, to be appointed by such board for that purpose, shall administer to the chairman thereof an oath or affirmation in the same form as that which shall have been taken by the other members.

121. If the secretary of state shall be absent from such meeting at the time appointed therefor, such board shall forthwith, after the oaths or affirmations shall have been administered and taken, proceed to appoint a fit person to be the clerk of such board; and before proceeding to canvass and estimate the votes, the chairman of such board shall administer to the clerk thereof, and such clerk shall take an oath or affirmation in the following form:

In absence of
secretary of
state a clerk
may be
appointed.

"You do swear (or affirm, as the case may be) that you will faithfully execute the duties of clerk of this board."

Oath of
clerk.

122. Such board shall consist of at least five persons, including the chairman thereof; and if a number of the members of the senate, who shall have been summoned as members of such board, sufficient to constitute such board, shall not attend the meeting thereof, it shall be the duty of the governor to summon as members of such board, as many fit persons, who shall possess the qualifications required for members of the senate, as shall be necessary to complete the number required to constitute such board.

Vacancies in
state board,
how filled.

123. The secretary of state shall thereupon produce and lay before such board all statements and copies relating to such election which he shall have received or obtained; and such board shall then forthwith pro-

Secretary of
state to
produce
statements
before state
board.

State board
to make and
certify
statement of
result.

ceed to make a statement of the result of such election in the state; which statement shall contain the whole number of the names of the voters in all the poll-books in the state, the names of all the persons for whom any vote or votes shall have been given for any office or offices to be filled at such election, and the whole number of the votes which shall have been given to each person for any such office or offices, mentioning the office or offices for which each person shall have been designated, and shall contain the name of each county, the number of names in the poll-books in the counties respectively, the number of votes given for each person in each county for any such office or offices; and in such statement the name of each person for whom any vote or votes shall have been given, the whole number of votes given for each person, and the name of each county, shall be in words written at full length; and the whole number of the names of the voters in all the poll-books in the state, the number of the names in the poll-books in the counties respectively, and the number of votes given for each person in each county, may be in figures, and such statement shall be certified to be true and correct, by a certificate appended to the same; and the chairman of such board shall sign his name thereto, in the presence of the clerk of the board, and such clerk shall attest the signing of the same by such chairman by signing his name thereto; and the statement and certificate appended thereto shall be in a form similar to that hereinbefore prescribed for the board of county canvassers, as far as the nature of such election will admit; and when the statement and certificate above mentioned shall have been made and subscribed, such board shall proceed to determine the person or persons who shall, by the greatest number of votes, have been duly elected to the office or offices for which he or they shall have been designated; and thereupon such board shall make a statement of their determination; and such statement shall be certified to be true and correct by a certificate which shall be appended to the same; and the chairman of such board shall sign his name thereto, in the presence of the clerk thereof, and such clerk shall

To deter-
mine and
certify
who are
elected.

attest the signing of the same by such chairman by signing his name thereto; and the statement of such determination, and the certificate appended thereto, shall be in a form similar to that hereinbefore prescribed for the board of county canvassers, as far as the nature of such election will admit, and shall be annexed to the statement of the result of such election; and both of such statements and certificates shall forthwith be delivered to the secretary of state, who shall file the same in his office.

Statements,
etc., to be
filed.

124. The clerk or member of the board of election of any election district, the clerk or the chairman of the board of canvassers of any county, or any other person who shall be in possession of any statement, or copy of any statement, which shall have been made and subscribed under the provisions of this act, shall forthwith, on application by any messenger who shall have been dispatched for the same by the secretary of state, deliver to such messenger such statement or copy; and the member of the board of election of any election district, or any clerk or other person who shall be in possession of any statement, or copy of any statement, which shall have been made and subscribed under the provisions of this act shall forthwith, on application by any messenger who shall have been dispatched for the same by the clerk of such county, deliver to such messenger such statement or copy and such messenger, in either case, shall be commissioned as such in writing, under the hand and official seal of the officer by whom he shall have been dispatched, and shall exhibit his commission to the person to whom he shall apply for such statement or copy; and when he shall have obtained such statement or copy shall forthwith deliver the same to the officer who shall have dispatched him.

Missing
statements,
to be
delivered to
messengers.

Messengers
commissioned
in
writing.

125. If the secretary of state shall neglect to produce and lay before such board any such statement or copy received or obtained by him, or shall withhold any such statement or copy, the chairman of such board shall forthwith summon such secretary to appear and produce and lay before the board such statement or copy, and thereupon such secretary shall forthwith produce and lay the same before such board.

Secretary of
state may
be sum-
moned to
produce
statements.

Statement
of result by
state board,
how made.

126. Such board shall make the statement of the result of such election in the state, and their determination as to the person or persons who shall have been elected therein upon the statements of the result of such election, or the copies of such statements which shall have been made by the board of county canvassers in the several counties, and laid before such board; *provided*, that if it shall appear, by any such statement from any county, that the statement of the result of such election in any election district of such county is not exhibited by or included in such statement, such board shall give full force and effect to the statement of the result of such election in such district, or the copy of such statement, which shall be laid before such board by the secretary of state as is hereinbefore directed.

Official
notification
of election
by secretary
of state.

127. The secretary of state shall make as many copies of the statement of the determination of such board, and the certificate thereto, as there shall be persons thereby declared to be elected; and shall certify such copies to be true, full and correct, by a certificate appended to each, and shall sign his name thereto and affix thereto the seal of the state, and shall without delay, deliver one of the same to each of the persons who shall be so elected.

All state-
ments filed
in office of
secretary
of state.

128. All the statements and copies of statements which shall have been produced and laid before such board shall be delivered to the secretary of state, and be by him filed in his office.

Proceedings
of state
board to be
public,

129. The proceedings of such board shall be open and public, and the decision of a majority of the members thereof shall be deemed and taken to be the decision thereof; and if any member shall dissent from such decision, and shall desire to protect himself against any consequences which may result therefrom, he shall state his dissent in writing, and deliver the same to the secretary of state, who shall file the same in his office.

Dissent may
be filed.

Certification
of election of
members of U.
S. Senate and
House of Rep-
resentatives.

130. In case of an election for one or more members of the United States Senate or of the House of Representatives, the Secretary of State shall prepare a general certificate of the election of such member or mem-

bers of the United States Senate and one of the member or members of the House of Representatives, and lay the same before the Governor, who shall sign his name thereto, in the presence of such secretary; and such secretary shall attest the signing of the same by the Governor by signing his name thereto, and shall thereupon affix the seal of the State thereto and transmit the same forthwith to the Clerk of the United States Senate and of the House of Representatives, as the case may be, if they shall then be in session, and if not in session, then at their first meeting; and in case of an election for electors of President and Vice-President of the United States, such secretary shall prepare a general certificate of the election of such electors, and lay the same before the Governor, who shall sign his name thereto, in the presence of such secretary; and such secretary shall attest the signing of the same by the Governor, by signing his name thereto, and shall thereupon affix the seal of the State thereto, and deliver the same, to the president of the College of Electors of this State, on the day and at the time and place appointed for the meeting of such college.

[Amended,
P. L. 1915,
p. 159.]

In case of
electors.

The Electoral College.

131. The electors of president and vice-president shall convene at the state house at Trenton, on the day appointed by congress for that purpose, at the hour of three o'clock in the afternoon of that day, and constitute an electoral college; and, after choosing a president and secretary from their own body, shall proceed to perform the duties required of them by the constitution and laws of the United States.

Meeting of
presidential
electors.

132. When any vacancy shall happen in the college of electors of this state or when any elector shall fail to attend, by the hour of three o'clock in the afternoon of the day fixed by the congress of the United States for the meeting of the college of electors, at the place of holding such meeting, those of the said electors who shall be assembled at the said hour and place shall im-

Vacancy in
electoral
college,
how filled.

mediately after that hour proceed to fill, by a majority of votes, all such vacancies in the electoral college; *provided*, that if the members of the electoral college shall have been nominated and elected as representing different political parties, any vacancy occurring shall be filled by the elector or electors representing the same political party as the absent elector; and if there shall be no elector present representing the same political party as the absent elector, then such vacancy shall be filled by a majority of the electors present, who shall choose some person of the political party which the absent elector represents.

Elections to Fill Vacancies.

Filling of
vacancies in
legislature.

133. Whenever any vacancy shall happen in the representation of any county in the senate or general assembly, the house in which such vacancy happens shall direct a writ of election for supplying the same, unless such house shall be of the opinion that the services of a person in the office then vacant will not be required during the unexpired period of the legislative year; but if such vacancy happens during the recess of the legislature, or after the annual election, and not less than fifteen days before the commencement of the legislative year (or a shorter time before such commencement, if the board of chosen freeholders make the requirement hereafter mentioned), it shall be the duty of the governor forthwith to issue a writ of election to fill the said vacancy, unless he shall be of opinion that the services of a person in the office then vacant will not be required during the legislative year, or the residue thereof; but the neglect of the governor to issue a writ for filling such vacancy shall not preclude the house in which such vacancy may have happened from causing the same to be filled, if they judge it advisable; *provided*, that if the board of chosen freeholders of such county shall signify in writing to the governor, in case such vacancy occurs during the recess of the legislature, or after the annual election, and before the commencement

of the legislative year, or to such house, when in session, the desire of such board that the vacancy shall be filled, then such house, or the governor, as the case may be, shall forthwith, after such signification, issue such writ.

134. If any person who shall be elected a member of the senate or general assembly of this state shall neglect or refuse, for ten days next after the commencement of the session of such house, to take his seat therein, or to send to such house a satisfactory excuse, or shall, during any session of such house, be absent unremittingly for ten days (unless expressly excused by such house from attendance thereon), or shall remove from and cease to be a resident of the state, or of the county for which he may have been elected, his office shall be deemed vacant.

What constitutes a vacancy in senate or general assembly.

135. Whenever any vacancy or vacancies shall happen in the representation of this State in the United States Senate or in the House of Representatives, it shall be the duty of the Governor to issue a writ or writs of election to fill such vacancy or vacancies, unless the term of service for which the person or persons whose office or offices shall become vacant will expire within six months next after the happening of such vacancy or vacancies, and except as hereinafter provided.

Vacancies in U. S. Senate or House of Representatives.

[Amended, P. L. 1915, p. 159.]

136. Every writ of election which shall be issued under the provisions of this act shall be of the nature of a proclamation, and be signed by the Governor or by the President of the Senate or the Speaker of the House of Assembly, as the case may be, and may designate the next general election day for the election, but if a special day is designated, then it shall specify the cause and purpose of such election, the name of the officer in whose office the vacancy has occurred, the day on which a special primary election shall be held, which shall be not less than thirty-one days, nor more than forty days, following the date of such proclamation,

Issue of writ of election by proclamation.

[Amended, P. L. 1915, p. 159.]

Provido.

and the day on which the special election shall be held, which shall be not less than fourteen nor more than twenty days following the day of the special primary election; *provided, however*, if the vacancy shall happen in the representation of this State in the United States Senate such election shall take place at the general election next succeeding the happening thereof, unless such vacancy shall happen within thirty days next preceding such election, in which case such vacancy shall be supplied by election at the second succeeding election, unless the Governor of this State shall deem it advisable to call a special election therefor, which he is authorized hereby to do.

Writ delivered
to Secretary
of State;
his duty.

137. Every such writ shall, by the officer issuing the same, be delivered forthwith to the Secretary of State, who shall forthwith affix thereto the seal of this State and file the same in his office; and in case such vacancy or vacancies shall have happened in the representation of any county in the Senate or Assembly, he shall make, or cause to be made, a copy of such writ, certify the same to be true and correct under his hand, and cause such copy thus certified to be delivered to the clerk of such county, and in case such vacancy or vacancies shall have happened in the representation of this State in the United States Senate he shall cause as many copies of such writ to be made as there are counties in the State, and in case such vacancy or vacancies shall have happened in the representation of this State in the House of Representatives, he shall cause as many copies of such writ to be made as there shall be counties in such vacant congressional district or districts, certify each of the same to be true under his hand, and cause one of such copies to be delivered to the clerk of each of said counties.

[Amended,
P. L. 1915,
p. 160.]

Notice by
county clerk.

138. The clerk of each of said counties shall, forthwith, after the receipt of any such copy, cause the same to be published at least once a week, until the time of such election, in all of the newspapers which shall be

printed or published in such county and authorized by law to publish legal notices; and if such election shall be held to fill a vacancy or vacancies in the representation of such county in the Senate or Assembly, such publication shall be made at the expense of such county; and if such election shall be held to fill a vacancy or vacancies in the representation of this State in the United States Senate or in the House of Representatives, such publication shall be made at the expense of this State.

Who to pay
advertising
fees.

[Amended,
P. L. 1915,
p. 161.]

139. Any vacancy happening in the office of sheriff, coroner, clerk, register or surrogate of any county, shall be supplied at the general election next succeeding the happening thereof, unless such vacancy shall happen within fifteen days next preceding such election, in which case such vacancy shall be supplied at the second succeeding general election.

Vacancy in
county office,
how filled.

140. Every special election shall be conducted by the same election officers and in the same manner as the general election is or may be conducted; nominations shall be made for the offices to be filled at such special election in the manner herein provided for the nomination for such offices at the general election, and the register used at the election next preceding such special election shall be used thereat, subject to revision and correction in the same manner as is herein provided for the revision and correction of the register at charter or local elections, with such modifications, if any, as to the times of meeting of the registry boards, as the county board of election may deem necessary.

Special
elections,
how
conducted.

Contested Elections for Governor.

141. Any person intending to contest the election of governor, shall, within thirty days next after such election, give notice in writing to the person whose election he intends to contest, stating such intention, and setting forth the facts, charges and specifications upon

Notice of
contested
election of
governor.

which he means to rely; which notice shall be delivered to such person, or be left open at his usual place of residence, with a member of the family over the age of fourteen years.

Petition to
be delivered
to president
of senate.

142. The said contestant shall address and cause to be delivered to the president of the senate as soon as that body shall be organized by the election of a president, a petition in writing, setting forth that the said petitioner intends to contest the said election of governor, and the facts, charges and specifications upon which he means to rely, and praying that a joint committee of the two houses of the legislature may be appointed to try the same; which petition shall be accompanied by the affidavit of the petitioner that the facts, matters and things in said petition contained are true, as he verily believes; and shall be also accompanied by due proof that the notice mentioned in the preceding section has been given as is therein directed.

President
of senate to
notify both
houses of
legislature.

143. Upon the receipt of such petition, verification and proof, the said president shall immediately give information thereof to both houses of the legislature, who shall, on a day and hour to be agreed upon between them, not exceeding ten days from the delivery of such petition, convene in the senate chamber, and proceed to appoint such committee.

Selection of
names
for joint
committee.

144. The president of the senate shall preside at such meeting; the names of the members of each house shall be called over, and thereupon the names of the members of the senate present shall be written on distinct pieces of paper, as nearly similar as may be, and each rolled up and put into a box by the clerk of the assembly, and after being shaken and intermixed, shall be placed on the president's table; and the secretary of the senate shall then draw from the said box the papers so rolled up, and deliver them singly to the speaker of the house of assembly, who shall open and read them aloud as he receives them, and deliver them singly to the president of the senate, who shall place them open on the table; and the clerk of the house shall take down

the names as they are so called in writing, until the number of ten names be drawn, when the drawing shall cease; the names of all the members of the house of assembly who are present shall then, in like manner, be written on similar distinct pieces of paper, and each rolled up and put into a box by the secretary of the senate, and after being shaken and intermixed, shall be placed on the president's table; and the clerk of the house shall then draw from the said box the papers so rolled up, and deliver them singly to the president of the senate, who shall open and read them aloud as he receives them, and deliver them singly to the speaker of the house, who shall place them open on the table, and the secretary of the senate shall take down the names as they are so-called, in writing, until the number of twenty-nine names shall be drawn, when the drawing shall cease.

145. When the names of ten members of the senate and twenty-nine members of the house of assembly shall have been so drawn, a list of the members so selected shall be given to each of the parties, or their counsel, who shall immediately withdraw to some adjoining room, with a clerk or member appointed by the joint vote of the members present, where they shall proceed alternately to strike off the names upon the said list, the contestant striking first, until the number shall be reduced to four members of the senate and nine members of the house of assembly; and within one hour from the time of so withdrawing, shall deliver to the president of the senate the names of the said thirteen members remaining on the list, who shall constitute a committee to try the matter in controversy, and shall respectively take an oath or affirmation, to be administered by the president of the senate, to try the matter of the petition, and to give true judgment thereon according to evidence; and the time and place for the meeting of the select committee so appointed shall then be directed by a joint vote of the members of both houses, which shall be within twenty-four hours of the appointment.

Process of
perfecting
joint
committee.

Oath.

Balance of
names
drawn and
mistakes
corrected.

146. As soon as the list shall have been delivered to the parties aforesaid, the clerk of the house of assembly shall proceed to draw out, one by one, the names of the remaining members of the senate and deliver them singly to the speaker of the house, who shall unfold and read them aloud; and then the secretary of the senate shall in like manner draw out the names of the remaining members of the house of assembly and deliver them singly to the president of the senate, who shall unfold and read them aloud; and if any unfairness or mistake shall be discovered therein, then the whole proceeding shall be set aside, and the business be renewed in manner and form as hereinbefore directed.

Organisa-
tion of
committee.

147. The committee so chosen shall, on the first meeting, elect a chairman from among themselves, and some competent person as clerk, and in case of the sickness, death, resignation or inability to act of either, may choose another in his place; and in case of the refusal or inability of any member of the committee so chosen to act, the committee shall, by a majority of votes, fill such vacancy, by choosing a member to supply his place, if he be a senator, from the senate; if a member of assembly, from the house of assembly; *provided*, that no member who was stricken from the list of names drawn shall be eligible to be chosen; *and provided*, that such vacancy shall be filled before the committee shall have entered upon the hearing of the case.

Sessions
continued
from day
to day.

148. The said committee shall sit from day to day, Sundays excepted, and attend exclusively to the business before them until they have finally decided the case.

Power of
committee.

149. The said committee shall have power to send for persons, papers and records, to examine all witnesses who may come before them, upon oath or affirmation, to be administered by the chairman; and any person guilty of taking a false oath or affirmation before them, or of procuring another to do so, shall, upon conviction, be liable to the same punishment as persons convicted of perjury are liable to by law; the committee may re-

quire the production of ballot-boxes with their contents, and may examine and recount, if necessary, the ballots cast in any district or districts.

150. All determinations of the said committee shall be by a majority of votes; as soon as the said committee shall have determined whether the election or return referred to them is legal and valid, or the contrary, and who, if anyone, is duly elected to the said office of governor, the chairman shall make two reports thereof in writing, one of which he shall deliver to the president of the senate and the other to the speaker of the house of assembly which reports shall be entered on the journal of the respective houses, and shall be final and conclusive, and the person adjudged to be elected shall be entitled to the office; and if no one shall be adjudged to be elected, then the office shall be declared vacant.

Determina-
tion of
committee to
be recorded
on journal
of senate
and house.

151. The proceedings of the committee shall be conducted publicly; the parties shall be at liberty to appear before them in person, or by counsel, and examine and cross-examine the witnesses produced, and be heard upon the questions that arise in the case.

Proceedings
public.

152. Witnesses attending by order of the committee shall have the same fees as are allowed at law; the clerk of the committee shall be allowed compensation at the rate of ten dollars per diem, but no fees; and all expenses incurred shall be taxed by the committee and paid by the treasurer on the certificate of the chairman.

Witness fees,
clerk's com-
pensation,
expenses.

Contested Elections for Members of the Legislature and Congress.

153. If any person shall intend to contest the right of any person who shall have been declared to be duly elected a member of the senate, a member of the general assembly or a member of the house of representatives of the United States, to a seat in the house of which he shall have been declared to be elected a member, the person intending shall, within thirty days next

Notice of
contest of
election of
legislator or
congressman.

after the day of such election, give notice in writing of such intention to the person whose seat he shall intend to contest; which notice shall be delivered to such person, or shall be left open at his usual place of residence, with one of the family above the age of fourteen years, and such notice shall particularly set forth the ground or grounds on which such seat will be contested.

Who may
take
testimony
and issue
subpoenas
for wit-
nesses.

154. The judges of the court of common pleas, the commissioners to take bail and affidavits in the supreme court, and the masters in chancery, respectively, shall have power, and are hereby required at any time, on application to them by any person who shall intend to contest the right to a seat as above mentioned, or whose right to a seat shall be contested, to issue a subpoena or subpoenas to any person or persons whose testimony the person so applying shall be desirous to take, and to appoint some time, not less than ten nor more than twenty days after such application shall be made to him, and some place for the examination of such person or persons; *provided*, that no officer shall issue any such subpoena or appoint such time, unless he shall be satisfied that such notice has been given as is directed in the preceding section of this act.

Time and
place to be
fixed for
examining
witnesses.

155. When such time and place shall have been appointed, the person who shall have made such application shall forthwith give at least eight days' notice of such time and place, and of the name of the officer who is to take the testimony, to the opposite party; which notice shall be in writing, and shall contain the name or names of the witness or witnesses intended to be examined, and shall be given in the same manner as the notice of contest of such election hereinbefore mentioned is directed to be given.

Notice of
time and
place for
examination
to be given.

156. At the time and place which shall have been so appointed, the officer appointing them shall attend and take the deposition or depositions of such person or persons as shall appear before him; which deposition or depositions shall be taken in writing, and shall be signed by the person or persons, respectively, who shall

Depositions,
how taken.

be examined; *provided*, that such officer shall not proceed to take the testimony of any person unless he shall be satisfied that such notice has been given, as is hereinbefore directed, and that he shall take the testimony of no other person than such as shall be mentioned in such notice; and that no testimony shall be taken which shall not relate to some ground of contest specified in the notice which shall have been given, as is hereinbefore directed.

157. The officer who shall take any such deposition or depositions shall certify the same under his hand and shall inclose, seal up and transmit or deliver the same, in case the intended contest shall relate to a seat in the senate, to the president of that body; in case it shall relate to a seat in the general assembly, then to the speaker of that body, and in case it shall relate to a seat in the house of representatives of the United States, then to the speaker of that body.

Depositions,
how disposed
of.

158. It shall be the duty of every person upon whom a subpoena, issued under and by virtue of this act, shall have been served, and to whom the lawful fees shall have been paid or tendered, to obey the command of such subpoena, under the penalty of fifty dollars, to be sued for and recovered, with costs, in an action of debt, before any court of competent jurisdiction, by the person on whose application such subpoena shall have been issued; *provided*, that no person shall in any case be required to attend any such examination as a witness out of the county in which he resides; and if any person duly subpoenaed as aforesaid shall neglect or refuse to obey the command of such subpoena, it shall be lawful for any justice of the supreme court or judge of the court of common pleas, on due proof by affidavit of the service of a subpoena on such witness, and of the payment of his legal fees, and of his refusal or neglect to obey the command of said subpoena as aforesaid, to issue an attachment against such person to bring him

Penalty for
not obeying
subpoena.

Proceedings
on attach-
ment for
contempt.

before said justice or judge; and the said justice or judge shall have power to proceed against said witness as for a contempt of said court.

Recount of Votes.

Candidates
may apply
for recount.

[Amended,
P. L. 1909,
p. 41.]

If error
change
result,
justice to
revoke
certificate
and issue
new one.

In case of
referendum.

159. Whenever any candidate at any election shall have reason to believe that an error has been made by any board of elections or of canvassers in counting the vote or declaring the vote of such election, or whenever any citizen shall have reason to believe that an error has been made by any board of elections or of canvassers in counting the vote or declaring the result of any election upon any ~~referendum or question~~ submitted to the electors, whereby the result of such election has been changed, such candidate or such citizen may, within ten days, after such election, apply to any Justice of the Supreme Court, who shall be authorized to order and cause, upon such terms as he may deem proper, a recount of the whole or such part of the votes as he may determine, to be publicly made under his direction by the county board of elections, after due notice by such candidate to the parties interested of the time and place of such recount; and, if it shall appear upon such recount that an error has been made sufficient to change the result of such election, then such Justice in case of candidates shall revoke the certificates of election already issued to any person, and shall issue in its place another certificate in favor of the party who shall be found to have received a majority of the votes cast at such election; and in case of referendums or questions shall make a certificate that the result of such election be corrected; which certificates shall supersede all others and entitle the holder thereof to the same rights and privileges as if said certificates had been originally issued by the can-

vassing board; said Justice shall have power to decide all disputed questions which the board shall fail to decide by a majority vote thereof. (a)

159b. The foregoing provisions shall apply to any election held upon any referendum or question at the last general election; *provided*, application shall be made for such recount within thirty days after the passage of this act.

Applica-
tion.

Proviso.

160. Whenever any such certificate shall be issued by any justice of the supreme court, the same shall be filed with the clerk of the county or municipality in and for which such election was held; and such clerk shall make and certify, under his hand and official seal, a copy thereof, and shall without delay deliver such copy to the person who shall be so declared elected; and in case of an election for senator, members of the assembly or any county officers, the county clerk shall within five days thereafter transmit to the secretary of state at Trenton another copy of such certificate, signed by him and attested by his official seal.

New cer-
tificate to be
filed and
certified,
copies made,
etc.

161. Any applicant for such recount upon applying therefor shall deposit with the county clerk such sum as such justice shall order as security for the payment of the expenses of such recount, or if such justice shall so order, shall file with the county clerk a bond to the incumbent, with two or more sureties, to be approved by such justice, in such sum as he may require, conditioned to pay all costs and expenses in case the original count be confirmed, or the result of such recount is

Expenses of
recount, how
provided for.

(a) Application was made to Justice Dixon for a recount of ballots cast in Passaic county for sheriff. At the time of the application John W. Sturr had been declared elected, and had received his commission from the Governor. Justice Dixon held that it was too late to order a recount; that the certificate of election issued by the board of election had been superseded by the Governor's commission, and that while, under the authority of the above section, a justice of the supreme court may, in a proper case, revoke a certificate of election, that power can be exercised only before the certificate of election becomes thus superseded. See *New Jersey Law Journal*, January, 1901, p. 411. Under the 159th section, reason to believe that an error sufficient to change the result of the election has been made, and probable grounds of such belief are all that are necessary to give jurisdiction to the justice. *In re Election of Register of Essex County*, 12 *New Jersey Law Journal* 271.

not sufficient to change the result; the said justice shall fix and determine the amount of compensation to be paid for making such recount of the ballots, and the costs and expenses thereof; and if it shall appear that an error sufficient to change the result has been made, then the expenses of such recount shall be paid by the county or municipality in and for which such election was held, upon the warrant of said justice, the same as other election expenses are paid; but if no error shall appear sufficient to change such result, then the expenses of such recount shall be paid by the party making the application.

Contested Elections for County, Township, City or Other Municipal Offices.

Jurisdiction in contested election cases for county and municipal offices.

162. The several circuit courts of this state shall have jurisdiction to hear and determine all cases in which the election of any officer or officers of any county, city, borough, village, township or other municipality may be contested, and for that purpose the said courts shall always be open; such contest shall be commenced by filing a petition therefor within thirty days after any such election shall be held.

Grounds of contest.

163. Such election may be contested upon one or more of the following grounds, viz.:

Fraud, etc.

I. Malconduct, fraud or corruption on the part of the members of the board of election in any election district, or of any members of the board of county canvassers, sufficient to change the result:

Ineligibility.

II. When the incumbent was not eligible to the office at the time of the election;

III. When the incumbent had been duly convicted before such election of any crime which would render him incompetent to exercise the right of suffrage, and the incumbent had not been pardoned at the time of the election;

Conviction of certain crimes.

IV. When the incumbent had given or offered to any elector or any member of a board of election, clerk or canvasser, any bribe or reward, in money, property or thing of value, for the purpose of procuring his election;

Bribery.

V. When illegal votes have been received, or legal votes rejected at the polls sufficient to change the result;

Illegal voting, etc.

VI. For any error in any board of canvassers in counting the votes or declaring the result of the election, if such error would change the result;

Error in canvassing.

VII. For any other cause which shows that another was the person legally elected. (a)

Other causes.

164. The term "incumbent" in this act means the person whom the canvassers declare elected; but in case of a tie vote either party may contest the election, in which case the term "incumbent" means the person having an equal number of votes with the contestant.

Definition of "incumbent."

165. When the misconduct complained of is on the part of the members of the board of election in any election district, it shall not be held sufficient to set aside the election, unless the rejection of the vote of such district would change the result as to that office.

Effect of misconduct of board of election.

166. The contestant shall file a petition in writing signed by himself and at least fifteen qualified electors of the county, township or municipality in and for which such election was held, as the case may be, setting forth one or more of the causes specified and the particular circumstances of the case, duly verified by the oaths or affirmations of at least two of said petitioners, which shall be filed with the clerk of said court, together

Contestant to file petition and bond.

(a) As to the sufficiency of a petition filed under the authority of this clause, see *Groth v. Schlemm*, 28 *New Jersey Law Journal* 288.

with a bond to the incumbent, with two or more sureties, to be approved by the justice holding such circuit, in the penal sum of five hundred dollars, conditioned to pay all costs in case the election be confirmed, or the petition be dismissed or the prosecution fail.

Contents of
petition.

167. When the reception of illegal or the rejection of legal voters is alleged as the cause of contest, the names of the persons who so voted, or whose votes were rejected, with the election district where they voted, or offered to vote, shall be set forth in the petition, if known; the court shall appoint a suitable time for hearing such complaint, not more than thirty nor less than fifteen days thereafter; and the contestant shall cause a notice of such trial, with a copy of the contestant's petition, to be served on the incumbent at least ten days before the day set for trial.

Time
appointed

for hearing.
Trial at
appointed
time unless
adjourned.

168. The trial shall proceed at the time appointed unless postponed for good cause shown by either party by affidavit, the terms of which postponement shall be in the discretion of the court; *provided*, the court may, for its own necessity or convenience, adjourn to such time, not more than thirty days thereafter, as it may see fit, of which adjournment the parties interested shall take notice.

Proceedings
as in action
at law.

169. The proceedings shall be similar to those in an action at law so far as practicable, but shall be under the control and direction of the court, which shall hear and determine the matter without a jury, with power to order any amendments in the petition or proceedings as to form, and to allow adjournments to any time not more than thirty days thereafter for the benefit of either party, on such terms as shall seem reasonable to the court, the grounds for such adjournment being shown by affidavit.

Attendance
of witnesses
and produc-
tion of
balots, etc.,
compulsory.

170. The said court shall have authority and power to compel the attendance of any officer of such election, and of any other person capable of testifying concerning the same, and also to compel the production of all

ballot-boxes, books, papers, tally lists, ballots and other documents which may be required at such hearing; the style, form and manner of service of process and papers, and the fees of officers and witnesses, shall be the same as in the circuit court in other cases, as far as the nature of the case admits.

171. The court may require any person called as a witness who voted at such election, to answer touching his qualification as a voter, and if the court, from his examination, or otherwise, is satisfied that he was not a qualified voter in the election district where he voted, then the court can compel him to answer for whom he voted; and if the witness answers such questions no part of his testimony on the trial shall be used against him in any criminal proceeding.

Witness
compelled to
testify as to
his qualifi-
cation to
vote, etc.

172. The contestant and incumbent shall be liable to the officers and witnesses for the costs made by them, respectively; but if the election be confirmed, or the petition dismissed, or the prosecution fail, judgment shall be rendered against the contestant for costs; and if the judgment be against the incumbent, or the election be set aside, then he shall pay the costs at the discretion of the court; and after the entry of the judgment of the court the costs may be collected by attachment or otherwise.

Liability
for costs.

173. The court shall pronounce judgment whether the incumbent or any contestant was duly elected, and the person so declared elected will be entitled to his certificate; if the judgment be against the incumbent, and he has already received the certificate of election, the judgment shall annul it; if the court find that no person was duly elected, the judgment shall be that the election be set aside.

Judgment
given by
court.

174. When either the contestant or incumbent shall be in possession of the office, by holding over or otherwise, the court shall, if the judgment be against the party in possession of the office, and in favor of his antagonist, issue an order to carry into effect its judgment, which order shall be under the seal of the court, and shall com-

Successful
party to be
put into
possession
of office.

mand the sheriff of the county to put the successful party into possession of the office without delay, and to deliver to him all books, papers and effects belonging to the same.

Appeal
may be
taken to
supreme
court.

175. The party against whom judgment is rendered may appeal for error of law only, within twenty days, to the supreme court, (a) but such appeal shall not supersede the execution of the judgment of the court, unless the party so appealing shall become bound to the other party by recognizance, as provided in the thirteenth section of the act entitled "An act respecting writs of error" (Revision), approved March twenty-seventh, eighteen hundred and seventy-four; *provided*, the amount of such recognizance shall be fixed by the judge who presided at the trial, and shall be at least double the probable compensation of such offer for six months.

Appeal
to have
precedence
on calendar.

176. Such appeal shall take precedence over all other causes upon the calendar, and shall be set down for hearing, and determined upon the first day of the term, unless otherwise ordered by the court for its convenience; *provided*, that the appellant shall give ten days' notice of argument unless the judgment of the circuit court shall not have been given in time to notice such appeal for trial on the first day of the term, in which case the same may be noticed for any other day in the term, and shall have the same precedence on such other day.

If appeal be
affirmed,
judgment of
circuit
court to be
enforced.

177. If, upon appeal, the judgment be affirmed, the judge who presided at the trial, or in his absence or inability to act, any justice of the supreme court, shall order the judgment of said circuit court to be enforced,

(a) At a township election fourteen ballots were cast, on which a person had written his own name as a candidate in a blank space under the words "Chosen Freeholder." *Held*, that the question whether these ballots were invalid as marked ballots was one of fact for the circuit court, in proceedings under section 162, and that the decision of that court thereon could not be reviewed on appeal to Supreme Court. *Hakett v. Mayhew*, 33 Vr. 481.

if the party against whom judgment is rendered is in possession of the office; and the proceedings on the recognizance shall be as provided for in other cases in said supreme court.

Compensation of Election Officers and Expenses of Election.

178. Supplemented by P. L. 1911, p. 283, secs. 10-11. See sec. 328, *post*.

179. For the duties and services imposed upon and required of them by this act, the county clerks of the several counties and the clerks of the different cities, townships and other municipalities, shall be paid out of the county funds of their respective counties, or the funds of their respective municipalities, as the case may be, a fair and reasonable compensation, to be ascertained and determined, in the cases of the county clerks, by the boards of chosen freeholders of their respective counties, and in case of said municipal clerks, by the governing bodies of their respective cities, townships or municipalities.

Compensation to county and municipal clerks.

180. All costs, charges and expenses incurred by the county and municipal clerks in carrying out the provisions of this act * * * including the charges and expenses incurred for rooms for polling places and fitting up and arranging the same, the compensation of the district boards of registry and election and all other expenses incurred by any officer or person duly authorized in carrying out the provisions of this act, shall be regarded as election expenses and shall be paid in the case of the general election or any special election held in and for the whole county, by the respective counties, and in case of all other elections by the respective municipalities in and for which they are held, in the same manner as other county and municipal expenses are paid; but all bills before being paid shall be itemized and verified by the oath of the claimant and audited and approved by the clerk of the county, township, city or

Provision for expenses incurred by county and municipal clerks and other officers.

See sec. 10 *post*.

[Amended, P. L. 1910, p. 474.]

[Amended,
P. L. 1915,
p. 674.]

time and in the manner prescribed in and by such statute upon the question or proposition submitted; and that for the purpose of ascertaining what is a majority of the legal voters of any district defined in such statute, upon the proposition therein directed to be submitted, the persons who do not vote at such election, and the persons who do not vote upon the proposition, and the persons whose ballots may be declared invalid, shall not be estimated, counted or considered for the purpose of ascertaining what is a majority of the legal voters in such district, with respect to the proposition submitted; such votes shall be estimated and canvassed, and the result thereof determined by the several boards of election and boards of canvassers in the same manner as the results of other elections are estimated, canvassed and determined.

Police
power of
state,
county and
district
boards.

186. The board of election in each election district, the board of county canvassers in each county, and the board of state canvassers shall, respectively, possess full power and authority to maintain regularity and order, and to enforce obedience to their lawful commands during their sessions respectively; and if any person shall refuse to obey the lawful command of any such board, or by disorderly conduct in their hearing or presence shall interrupt or disturb their proceedings, they may by an order in writing, signed by the chairman and attested by the clerk of such board, commit the person so offending to the common jail of the county in which they shall have met, for a period not exceeding three days, and such order shall be executed by any sheriff or constable to whom the same shall be delivered; or if a sheriff or constable shall not be present or shall refuse to act, by any other person who shall be deputed by such board in writing, and the keeper of such jail shall receive the person so committed, and safely keep him for such time as shall be mentioned in the commitment.

Betting, etc.,
unlawful.

187. No person shall make, lay or deposit any bet, wager or stake, to be decided by the result of any election, by the election or defeat of one or more persons

at any election, or by any contingency connected with or growing out of any election; and all contracts for or on account of any money, property or thing in action so bet, wagered or staked shall be void; and any person who shall pay, deliver or deposit any money, property or thing in action upon the event of any bet, wager or stake prohibited by this section, may sue for and recover the same of the winner or winners, or person or persons, to whom the same, or any part thereof, shall have been paid or delivered, or with whom the same, or any part thereof, shall have been deposited, whether he or they shall have been a stakeholder or stakeholders, or other person or persons, whether or not the same shall have been paid over by such stakeholder, or whether or not such bet, wager or stake shall have been lost.

Crimes and Penalties.

188. If any person shall be guilty of willful and corrupt false swearing or affirming, or by any means shall willfully and corruptly suborn or procure any person to swear or affirm falsely, in taking any oath, affirmation or deposition prescribed or authorized by this act, he shall be deemed and taken to be guilty of a high misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding eight hundred dollars or imprisonment at hard labor not exceeding seven years, or both, at the discretion of the court, and be deemed and taken to be an incompetent witness thereafter for any purpose within this state, until such time as he shall have been pardoned.

Penalty for
swearing
falsely.

189. Supplemented by P. L. 1911, c. 188, sec. 31. See paragraph 420, *post*.

190. If any person shall rob or plunder any ballot-box, or unlawfully and by stealth or violence take the same or remove therefrom any ballot * * * or other paper, or exchange, alter or destroy any ballot * * * or other paper contained therein, or if any person other than the clerk of any county or the secretary of state, shall willfully and corruptly suppress,

Penalty for
robbing
ballot-boxes,
etc.

withhold, mutilate, destroy, alter or change any return, statement or certificate, or any copy thereof, which shall have been made in pursuance of this act, and delivered to him to be filed, or which shall have been entrusted or delivered to him to be delivered or transmitted to any other person or persons in pursuance of this act, every such person, his aiders, procurers and abettors, shall be deemed and taken to be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment at hard labor for any term not exceeding two years, or both.

191. Supplemented by P. L. 1911, c. 188, sec. 31. See paragraph 420, *post*.

Penalty for
selling
liquor on
election day.

192. In addition to the penalties provided by law for the unlawful sale or offer to sell or exposure for sale of any spirituous, vinous, malt or intoxicating liquors on any election day, every person so offending, for every offense, shall forfeit and pay the sum of one hundred dollars, to be sued for and recovered in an action of debt in any court having jurisdiction of that amount, by any citizen of this state, resident in the county where such offense shall be committed, one-half of which penalty shall, when collected, be paid to the county collector of said county where said offense is committed for the benefit of said county, and the other half to the person who shall prosecute for the same.

Penalty for
having
liquor in
polling place.

193. Spirituous, vinous, malt or intoxicating liquors shall not be brought by any person into the polling place on the day of election, or on any day of registry during the hours that the election or registration is in progress, nor during the counting or canvassing of the votes; any violation of the provisions of this section shall be a misdemeanor, punishable by a fine not exceeding one hundred dollars or imprisonment not exceeding two months, or both.

Duty of
peace
officers re-
garding sale
of liquor on
election day.

194. It shall be the duty of all sheriffs, under-sheriffs, police officers and constables, on any election day, during the hours of election, to arrest without warrant all persons who shall be found by them in the actual vio-

lation of any law prohibiting the sale, or offer to sell or exposure for sale, of any spirituous, vinous, malt or intoxicating liquors on any election day, and take such person when arrested before some recorder, police justice or justice of the peace of the county in which such arrest shall be made, to be dealt with by him according to law; and it shall be the further duty of such sheriffs, under-sheriffs, police officers and constables, to effectually close up all places where they shall have good reason to believe any spirituous, vinous or malt liquors, ale, beer or cider, are being sold or offered or exposed for sale or given away, and keep the same effectually closed up till after such election.

195. No person shall falsely make, or make oath to, or fraudulently deface or fraudulently destroy any certificate of nomination or petition, or any part thereof, or file, or receive for filing, any certificate of nomination or petition, knowing the same or any part thereof to be falsely made, or suppress any certificate of nomination or petition which has been duly filed, or any part thereof, or forge or falsely make the official indorsement of any ballot; * * * every person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not more than five years.

Penalty for
destroying
certificate of
nomination,
etc.

196. No person shall, during the election, with intent to hinder or delay said election, or to hinder or delay any voter in the preparation of his ballot, remove or destroy any of the ballots or pencils placed in the booths or compartments for the purpose of enabling the voter to prepare his ballot; * * * any person willfully violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five hundred dollars and imprisonment until such fine and the costs of the conviction are paid.

Penalty for
hindering
voters,
destroying
ballots, etc.

197. Supplemented by P. L. 1911, chap. 188, sec. 31.
See Paragraph 420, *post*.

Penalty upon
voter for
revealing
contents of
his ballot.

For not
using
official
ballots.

For marking
ballot.

Penalty for
violation of
duty by
printer.

198. No person shall, within the polling-room, show his ballot after it is prepared for voting to any person in such a way as to reveal the contents, nor shall any person within the polling-place or within a hundred feet thereof solicit the voter to show the same; no voter, at any election where official ballots are used, shall knowingly vote or offer to vote any ballot except an official ballot * * * as by this act required, nor shall any voter at any election where official ballots are not used, vote or offer to vote any ballot; * * * any person violating any of the foregoing provisions of this section shall incur a penalty of twenty-five dollars for each offense, to be recovered by action of tort, before any court of competent jurisdiction, by any person who bona fide shall first bring suit therefor; no voter shall place or permit to be placed any mark upon the face or back of his ballot * * * by which the ballot * * * may afterwards be identified by any other person as the one voted by him; whoever shall violate this last-mentioned provision of this section shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, at the discretion of the court.

199. If any printer employed by any county or municipal clerk to print the official ballots * * * for such clerk, or any person engaged in printing the same, shall appropriate to himself or give or deliver or knowingly permit to be taken any of said ballots * * * by any other person than such county or municipal clerk, or his duly authorized agent, or shall print or cause to be printed any official ballot * * * in any other form than that prescribed by such county or municipal clerk, or with any other names thereon, or with the names spelled or the names or printing thereon arranged in any other way than that authorized and directed by this act, such person so offending shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding five years, at the discretion of the court.

200. If any person shall write, paste or otherwise place upon any official ballot * * * any mark, sign or device of any kind as a distinguishing mark whereby to indicate to any member of any election board or other person how any voter has voted at any election, or if any person shall induce or attempt to induce any voter to write, paste or otherwise place on his ballot * * * any mark, sign or device of any kind, as a distinguishing mark by which to indicate to any member of any election board or other person how such voter has voted, or shall enter into or attempt to form any agreement or conspiracy with any other person to induce or attempt to induce voters or any voter to so place any distinguishing mark, sign or device on his ballot, * * * whether or not said act be committed, or attempted to be committed, such person or persons so offending shall be guilty of a misdemeanor, and being thereof convicted, shall be punished by fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both, at the discretion of the court.

Penalty for marking ballots.

201. If any member of any board of election have knowledge how any person has voted and shall reveal such knowledge to any other person, or shall fraudulently or corruptly disclose what other candidates were voted for on any ballot bearing a name not printed thereon, or fraudulently or corruptly give any information concerning the appearance of any ballot * * * voted, such person so offending shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding two thousand dollars or imprisonment not exceeding five years.

Penalty if member of board reveals how any person has voted.

202. If any person shall, directly or indirectly, by himself or by any other person in his behalf, give, lend or agree to give or lend, or shall offer, promise or promise to procure, or endeavor to procure, any money or other valuable consideration or thing to or for any voter, or to or for any person, in order to induce any voter to vote or refrain from registering for any election, or shall corruptly do or commit any of the acts in this section mentioned on account of any such voter

Penalty for inducing person to vote or refrain from registering by promise of reward.

Penalty for
promise of
employ-
ment, etc.,
to a voter.

having voted or refrained from voting at an election, or registered or refrained from registering at an election, such person so offending shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine and imprisonment, or both, at the discretion of the court, the fine not to exceed two thousand dollars, and the imprisonment not to exceed five years.

203. Any person who shall directly or indirectly, by himself or by any other person in his behalf, give or procure, or agree to give or procure or offer or promise to procure, or endeavor to procure any office, place of employment to or for any voter, or to or for any person on behalf of such voter, or to or for any other person, in order to induce such voter to vote or refrain from voting, or to register or refrain from registering, or shall corruptly do any act as aforesaid on account of any voter having voted or refrained from voting, or having registered or refrained from registering for any election, shall be guilty of a misdemeanor, and being thereof convicted, shall be punished by fine not exceeding two thousand dollars, or imprisonment not exceeding five years, at the discretion of the court.

204. Supplemented by P. L. 1911, chap. 188, sec. 25 (1). Paragraph 414, *post*.

Penalty for
agreeing to
receive
money, em-
ployment,
etc.

205. Any voter who shall directly or indirectly, by himself, or by any other person on his behalf, receive, agree or contract for any money, gift, loan or valuable consideration, office, place or employment for himself or for any other person for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election, or for registering or agreeing to register, or for refraining or for agreeing to refrain from registering for any election, shall be guilty of a misdemeanor, and being thereof convicted, shall be punished by fine not exceeding one thousand dollars, or imprisonment for not longer than one year, at the discretion of the court.

Penalty for
inducement
an employe
by threat,
etc.

206. Any employer of any workmen, or any agent, superintendent or overseer of any company or corporation employing workmen, or any person whosoever,

who shall directly or indirectly, by himself or by any other person in his behalf or by his direction, make use of or threaten to make use of any force, violence or restraint, or inflict or threaten to inflict by himself or by any other person any injury, damage, harm, or loss against any person or persons in his employ, in order to induce or compel such employe or employes to vote or refrain from voting for any particular candidate or candidates at any election, or on account of such employe or employes having voted or refrained from voting for any particular candidate or candidates at any election, or who shall, by any sort of duress, constraint or improper influence or by any fraudulent or improper device, contrivance or scheme, impede, hinder or prevent the free exercise of the franchise of any voter at any election, or shall thereby compel, induce or prevail upon any voter to vote for or against any particular candidate or candidates at any election, shall be guilty of a misdemeanor, and, being thereof convicted, shall be punished by a fine not exceeding two thousand dollars, or imprisonment not exceeding five years, or both, at the discretion of the court before which conviction is had.

207. If any person shall on election day obstruct the entrance to any polling-place, or shall obstruct or interfere with any voter, or do any electioneering within any polling place, or publicly within one hundred feet of any polling place, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding fifty dollars.

Penalty for obstructing polling place.

208. Supplemented by P. L. 1911, p. 19, sec. 61. See paragraph 377, *post*.

209. Any person who shall remove, destroy or mutilate any registry list or copy thereof, or who shall before such election closes, remove, destroy or mutilate any list of voters posted in accordance with this act, shall be guilty of a misdemeanor, and shall be punished, on conviction thereof, by a fine of not more than one thousand dollars or imprisonment for not more than two years.

Penalty for removing registry list, etc.

210. Supplemented by P. L. 1911, chap. 188, sec. 21.
See paragraph 410, *post*.

Investigation of probable cause that this act has been violated.

211. If proof be made before any justice of the peace, recorder or police justice of facts constituting probable cause for believing that this act has been violated, and that any person or persons have knowledge of the circumstances connected therewith, it shall be the duty of said justice or recorder to issue process of subpoena for the appearance of such person or persons other than the accused before him, to be examined touching the same; *provided*, that the lawful expenses of such subpoena and examination shall be paid by the applicant therefor, and such evidence shall be filed with the clerk of the county, to be used before the grand jury; *and provided further*, that no such process of subpoena shall be issued or served nor any such examination held, on the day of election.

Proviso.

Disfranchisement may be imposed as a penalty.

212. In addition to the penalties provided for violations of any of the provisions of this act, the court imposing such penalties may add thereto that such offender be thenceforth disfranchised as a voter and disqualified to hold any office of trust or profit within this state for such length of time as such court may deem proper; (a) *provided, nevertheless*, that nothing in this act contained shall be held or construed to in anywise absolve or relieve any person or persons from any liability, penalty, prosecution, indictment or punishment, for or on account of any violation of any law in force at the time of the passage of this act.

Proviso.

On trial of any indictment witness must answer questions deemed proper by the court,

213. On the trial of any indictment against any person or persons for violation of any of the provisions of this act, all witnesses sworn on any such trial shall truly answer all questions put to them which the court shall decide to be proper and pertinent to the issue involved; and no witness shall be excused from answering any such question on the ground that to answer the same

(a) This section is unconstitutional because it attempts to add to the qualifications of voters as prescribed by the constitution. *State v. Garrigan*, 36 N. J. Law Journal, p. 106.

might or would incriminate him, or might or would tend to incriminate him; but no answer or answers made by any witness to any such question shall be used or admitted in evidence in any proceeding against said witness, except in case of a criminal proceeding for perjury in respect to his answers to such questions.

Primary Elections.

214. No person not at the time entitled to vote, by the laws of this state, at the special, general and local elections held in this state, shall vote at any primary meeting or caucus called, or held by any political party or political organization of this state for the nomination or selection of persons to be voted for at any such elections, nor shall such person vote unless he is a legal resident of the political division in and for which such primary meeting or caucus is held.

Who may
vote at
primary
elections.

215. If any person not entitled to vote as aforesaid shall vote or offer to vote at any such primary meeting or caucus knowing or having reason to believe himself not entitled to vote as aforesaid, or if any person or persons shall counsel or procure anyone to vote as aforesaid, knowing or having reason to believe such voter not entitled so to vote, or if any person having voted at any primary meeting held by any political party or organization to nominate candidates or to elect delegates to nominate candidates, to be voted for at any election, shall vote or offer to vote at the primary meeting held by any other political party or organization held to nominate candidates or to elect delegates to nominate candidates to be voted for at the same election, such person or persons shall be guilty of a misdemeanor, and on conviction thereof shall for each offense be punished by imprisonment at hard labor for a term of not more than three months, or by a fine of not more than one hundred dollars, or both, at the option of the court.

Penalty for
false voting
at primary.

216. This section repealed by P. L. 1903, page 628. See paragraph 271, *post*.

Penalty for
fraudulent
actions at
primary.

217. If any judge, inspector, clerk or other officer of a primary election as aforesaid shall presume to act in such a capacity before taking and subscribing to the oath or affirmation required by this act, or shall willfully disregard or violate the provisions of any rule duly made by the party of which he is a member, and for whom he is acting, for the government of the primary elections of the party, or if any judge or inspector of any primary election as aforesaid shall knowingly reject the vote of any person entitled to vote under the rules of the said party, or shall knowingly receive the vote of any person or persons not qualified as aforesaid, or if any judge, inspector, clerk or any other officer of a primary election, as aforesaid, shall be guilty of any willful fraud in the discharge of his duties, by destroying or defacing ballots, adding ballots to the poll, by false counting, by making false returns, or by any act or thing whatsoever, the person or persons so offending shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court. (a)

Penalty for
bribery, etc.,
at election
of delegates.

218. If any person shall, directly or indirectly, give, offer or promise to give any sum or sums of money or any valuable thing in action, victuals, drink or preferment or other considerations, by way of fee, reward, gift or gratuity, or other valuable present or reward to obtain, procure or influence the opinion, behavior, vote or abstaining from voting for the election of any delegate to any convention of any political party of this state, to nominate any candidate or candidates for member of the legislature of this state, for any member of congress of the United States, for electors for President and Vice-President of the United States, for governor of this state, or for any candidate for any office in any county, city, town, township or borough in this state; or if any person being a delegate to any political

(a) This section does not apply to primaries for the selection of delegates to conventions to nominate candidates, but only to primaries held for the purpose of nominating candidates for state, city and county offices. *Woodruff v. State*, 25 N. J. L. J. 816.

convention to nominate candidates for any of the offices named in this act, shall, directly or indirectly, ask for, accept, receive or take any sum or sums of money, or other valuable consideration by way of fee, reward, gift or gratuity, or other valuable consideration for the giving or refusing to give his vote at any such convention, all and every of such persons so offering, asking or receiving the same, in either case aforesaid, shall be deemed and taken to be guilty of misdemeanor, and on conviction thereof shall be punished by a fine or imprisonment, or both, at the discretion of the court; said fine not to exceed five hundred dollars, nor such imprisonment six months.

219. Whoever shall, directly or indirectly, give, furnish, supply, offer or promise, or procure to be given, furnished, supplied, offered or promised, to any person or persons, any money, service, preferment or valuable thing, with the intent that such money or valuable thing, or any other money, service, preferment or valuable thing shall be given, offered, promised or used, by any person or persons, by way of fee, reward, gift or gratuity, for giving or refusing to give any vote or votes of any citizen of this state, at any election of any public officer, state, county or municipal, to be held therein, or of any member of congress of the United States, of electors for president and vice-president of the United States, or at any election of any delegate or delegates to any political convention to be held for the nomination of any of the officers aforesaid, or by way of gift, gratuity or reward, for giving or withholding the vote or votes of any delegate or delegates at any such conventions, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine or imprisonment, or both; such fine not to exceed the sum of ten thousand dollars, and such imprisonment not to exceed the term of one year.

Penalty for
bribery at
election.

Of Elections by Soldiers and Sailors Absent from the State in Time of War.

Right of
soldiers and
sailors to
vote.

220. Whenever in time of war any of the qualified electors of this state shall be in the actual military service of this state or of the United States, in the army or navy thereof, by the authority of this state, or under a requisition from the president of the United States, and as such shall be absent from the election districts in which they reside, on the days appointed by law for holding any general, special or local election within this state, or within any congressional district, county, city, borough, town, township or municipality therein, such electors shall be entitled, at such times, to exercise the right of suffrage in their several districts in the manner and form hereinafter prescribed.

Absent
elector to
designate
certain
voter to act
for him.

221. Such absent elector shall by an instrument in writing, executed by him not more than sixty days previous to any general or special election to be held in this state, authorize and empower any elector of the election district in which the said absent elector shall reside, on the day of said election, to cast for him his vote or ballot, in the manner prescribed in this act, for all officers for whom he would have a right to vote, if he were present at such election; said instrument shall be signed by such absent elector, attested by two subscribing witnesses, and sworn (or affirmed) to before any field officer, captain, adjutant or commander of any regiment, company, battalion or detachment, or of any vessel or naval station to which the said absent elector may belong or be attached, and such officers are hereby duly authorized to administer oaths and affirmations for the purposes specified in this act, and they shall attach to their signatures their official designations.

Form of
affidavit.

222. The said absent elector shall make and subscribe an affidavit in the form or of the effect following:

"I, A. B., do solemnly swear (or affirm) that I am a citizen of the United States, that I am now of the age of twenty-one years, that I have been (or will have been) a

resident of the state of New Jersey for one year, and of the county of _____ for five months next preceding the election to be held on the _____ day of _____ eighteen hundred and _____, and that I am now a resident of the _____ ward of the city or town) of _____ and that I am (or will be) in all respects qualified to vote in said city (or town) at said election, and until said election intend to be a resident thereof; and I do further swear that I am in the actual military service of the state of New Jersey (or of the United States), in the army (or navy) thereof, and that I am a member of company _____ of the _____ regiment (describing the organization or vessel to which he belongs), now at or near _____, in the state (or territory or country) of _____. Sworn to and subscribed before me this _____ day of _____, anno domini eighteen hundred and _____."

223. The said absent elector in the service as aforesaid shall prepare and fold the ballot he designs to cast at such election, and inclose the same, together with the instrument hereinbefore described, in an envelope, duly sealed, having on the outside thereof, either written or printed, the affidavit prescribed in the last preceding section of this act, sworn to and subscribed as therein required; the said envelope, prepared as aforesaid, shall be inclosed by him in another envelope, marked "soldier's (or sailor's) vote," sealed and directed to the elector empowered by the aforesaid instrument to cast the ballot of said absent elector, and the said absent elector may then transmit the same to the person to whom it is directed by mail or otherwise.

Ballot prepared and sent to designated voter.

224. The aforesaid instrument shall be in the words or of the effect following, namely:

Contents of instrument.

"I, A. B., a resident and elector of the (_____ ward of the city (or township), or as the case may be) of _____, in the county of _____, in the state of New Jersey, but absent from my election district in the military service of the state of New Jersey (or of the United States) and now at _____, in the state of _____, in company _____, of the _____ regiment of _____, under command of _____, do hereby authorize, empower and direct C. D., of

the election district above mentioned, to cast for me the ballot herewith inclosed at the election, to be held in said election district, on the —— day of ——, anno domini eighteen hundred ——, in the manner provided by the laws of the state of New Jersey.”

(opening of
envelope and
casting of
ballot.

225. The elector to whom such letter shall be directed may open the outer envelope thereof, but he shall not open the inner envelope; on the day of such election, and between the opening and the closing of the polls thereof he shall deliver such inner envelope to the board of election of the proper election district, and at the polls thereof, and if the person whose name shall be signed to the affidavit on the outside of said envelope shall be determined by the said board of election to be a duly-qualified voter in such election district, said envelope shall be by the said board publicly opened, and the vote or ballot therein contained shall be duly deposited in the ballot-box prepared to receive the ballots of voters, and the name of such absent elector shall be entered upon the poll-list, together with the name of the person delivering the ballot at the polls; no envelope containing a soldier's or sailor's ballot shall be opened by the board of election unless the name of the person signing the affidavit on the outside of said envelope shall be found upon the registry list of the district where such person claims to reside, or unless an affidavit be made and subscribed by a voter of the district, to the effect that he knows that said person whose vote is so offered is a resident of said district; the ballots contained in any such envelope which shall have been opened or unsealed before the same shall have been delivered to the board of election, shall not be deposited in the ballot-box, but shall be rejected.

All affidavits, etc., preserved.

226. The affidavits and instruments hereinbefore described, and all envelopes marked “soldier's or sailor's” votes, not opened at such election, shall be kept and filed by the clerk of the election in the same manner and place as poll-lists of such elections are required by law to be filed and kept.

227. Any person who shall be entitled to receive any letter or envelope marked as herein provided, before he shall take away the same, shall sign and deliver to the postmaster or his deputy or clerk, a receipt therefor, which receipt shall specify how many such letters or envelopes he has received, and otherwise, as far as may be, specify the particulars of the description thereof; and any willful omission to comply with the provisions of this section shall be adjudged a misdemeanor, and any person convicted thereof shall be punished accordingly.

Postmaster
to take
receipt.

228. The person to whom any soldier's or sailor's ballot shall be sent as herein provided, shall at the time of delivering the same to the board of election to be deposited in the ballot-box, also present his oath or affirmation, in writing, setting forth that the ballot or ballots therewith presented have been received by him to deliver to said board of election, and that he has not in any manner changed, altered or opened the said ballot or ballots, or the inner envelopes thereof, and that he believes the same have not been changed, altered or opened by any other person.

Oath made
when pre-
sented
ballot.

229. Any member of any board of election, and any elector to whom said ballot shall be sent, who shall willfully neglect or refuse to perform any of the duties required of him as aforesaid, or who shall in any manner willfully violate or abuse any trust or duty hereby imposed, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for a period not exceeding six months, or both.

Penalty for
failure to
comply
with duties
required.

230. Every person who shall deliver or present to the board of election under this act, any false, forged, altered or changed ballot, envelope or instrument of any such enlisted elector, provided for by this act, knowing the same to be so altered, forged or changed, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one thousand dollars, or by imprisonment at hard labor for any period not exceeding two years, or both.

Penalty for
presentation
of false
ballot.

Penalty for
influencing
enlisted
voter by
threat, etc.

231. Any officer of this state, or of the United States, or any other person, who shall directly or indirectly control, or attempt to control, any such enlisted elector as aforesaid in the exercise of any of his rights under this act, by menace, bribery, fear of punishment, hope of reward, or any other corrupt or arbitrary measure or resort whatever, or to annoy, injure or otherwise punish any such absent elector for the manner in which he may have exercised any such right, shall be deemed guilty of an offense against the government and dignity of this state, which shall be punished as a misdemeanor, and for which he may be indicted and tried at any future time when he may be found within the limits of this state, and upon conviction he shall be punished by a fine not exceeding one thousand dollars, or by imprisonment at hard labor not exceeding two years, or both

Secretary
of state to
prepare
necessary
blanks, etc.

232. The secretary of state is hereby authorized and required to prepare and have printed, at the cost of this state, the necessary blank forms and envelopes required to carry out the provisions of this act relative to the voting of enlisted electors; and shall cause the affidavits required by this act to be printed in blank upon the proper envelopes to contain the instrument required by this act; and shall at least one month previous to any general, special or local election cause such blank forms and envelopes, and copies of those sections of this act relating thereto, to be forwarded to the several regiments from this state, in the service of this state or of the United States in the field, and to the several hospitals, posts and naval stations, in sufficient quantity to furnish one copy of each blank form, envelop, and of the sections of this act required to be printed as aforesaid, to each person in actual military service of this state, or of the United States, in the army or navy thereof, from this state, and absent therefrom; *provided, however*, that such absent electors shall have the right to vote as hereinabove provided without being required to use an official ballot or envelope.

Repealer.

233. The act entitled "An act to regulate elections," approved April eighteenth, one thousand, eight hundred

and seventy-six, and all acts amendatory thereof and supplemental thereto, and all acts and parts of acts, general and special, inconsistent with this act, are hereby repealed, but this repealer shall not revive any act heretofore repealed, and this act shall take effect immediately; *provided*, that the members of any county board of elections and members of any district board of registry and election, in office, shall continue in office until the time or times herein provided for the commencement of the term of office of their successors.

Supplement of April 1, 1902. P. L. 1902, p. 235.

234. SEC. 1. All the provisions of the act to which this act is a supplement, relating to the nomination of candidates and to the use of official ballots, * * * shall apply to the charter, local, municipal and special elections in all of the towns of this state and in all other municipalities of this state however designated or governed having within their territorial limits a population of more than eight thousand inhabitants, according to the last state or federal census, in the same manner and to the like effect as in and by said act the same are made applicable to the charter, local or special elections in the cities of this state, anything in said act to the contrary notwithstanding. (a)

Official ballots, etc., required in local elections in towns and certain other municipalities.

Amendment of April 2, 1902. P. L. 1902, p. 257.

235. SEC. 1. It shall be lawful for any candidate, the certificate of whose nomination, or petition for whose nomination, shall have been filed as required by the act entitled "An act to regulate elections" [Revision of 1898], approved April fourth, one thousand eight hundred and ninety-eight, if such certificate or petition, or any affidavit or affidavits thereto, be defective, to cause such certificate or petition, and the affidavit or affidavits thereto, to be amended in matters of substance

Correction of defective certificate or petition of nomination authorized.

(a) This act enlarges and supersedes the supplement contained in P. L. 1901, p. 324. See note (a) to section 85 *ante*.

or of form as may be necessary, or such amendment or amendments may be made by filing a new or substitute certificate or petition, or affidavit or affidavits, and the same when so amended shall be of the same effect as if originally filed in said amended form, *provided, however*, that every amendment shall be made at least five days before the election.

Proviso.

Act, how

236. SEC. 2. This act shall be liberally construed to protect the interest of candidates.

Apportionment of Members of General Assembly.

An Act to apportion the members of the general assembly among the several counties of this state. Approved April 21, 1911. P. L. 1911, p. 372.

construed.
Apportion-
ment of
members of
general
assembly
amongst the
several
counties.

237. SEC. 1. Hereafter the several counties of this state shall be entitled to elect as members of the general assembly the number herein provided:

The county of Atlantic shall be entitled to elect two members;

The county of Bergen shall be entitled to elect three members;

The county of Burlington shall be entitled to elect one member;

The county of Camden shall be entitled to elect three members;

The county of Cape May shall be entitled to elect one member;

The county of Cumberland shall be entitled to elect one member;

The county of Essex shall be entitled to elect twelve members;

The county of Gloucester shall be entitled to elect one member;

The county of Hudson shall be entitled to elect twelve members;

III

The county of Hunterdon shall be entitled to elect one member;

The county of Mercer shall be entitled to elect three members;

The county of Middlesex shall be entitled to elect three members;

The county of Monmouth shall be entitled to elect two members;

The county of Morris shall be entitled to elect two members;

The county of Ocean shall be entitled to elect one member;

The county of Passaic shall be entitled to elect five members;

The county of Salem shall be entitled to elect one member;

The county of Somerset shall be entitled to elect one member;

The county of Sussex shall be entitled to elect one member;

The county of Union shall be entitled to elect three members;

The county of Warren shall be entitled to elect one member.

238. SEC. 2. In the interpretation of this act all references to counties shall be taken to refer to the counties as they exist at the time of the passage of this act. Interpretation of act.

Congressional Districts.

An Act to divide the State of New Jersey into districts for the purpose of electing members of the House of Representatives of the United States, and prescribing the boundaries of such districts. Filed April 16, 1912. P. L. 1912, chapter 411.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Congressional
districts
defined.

239. SEC. 1. For the purpose of electing members of the house of representatives of the United States to serve in the sixty-third congress, and in each subsequent congress, this state shall be divided into twelve districts, as follows, namely:

First. The counties of Camden, Gloucester and Salem shall constitute and be called the first district;

Second: The counties of Cape May, Cumberland, Atlantic and Burlington shall constitute and be called the second district;

Third, The counties of Middlesex, Monmouth and Ocean shall constitute and be called the third district;

Fourth. The counties of Hunterdon, Somerset and Mercer shall constitute and be called the fourth district;

Fifth. The counties of Union and Morris shall constitute and be called the fifth district;

Sixth. The counties of Bergen and Sussex and Warren and the townships of Pompton and West Milford in the county of Passaic, shall constitute and be called the sixth district;

Seventh. The county of Passaic, except the townships of Pompton and West Milford in the said county, shall constitute and be called the seventh district;

Eighth. The eighth, eleventh and fifteenth wards of the city of Newark, the towns of Belleville, Bloomfield and Nutley, all in the county of Essex, and the towns of Harrison and Kearny, the borough of East Newark, the seventh ward of the city of Jersey City, and the city of Bayonne, all in the county of Hudson, shall constitute and be called the eighth district;

Ninth. The cities of East Orange and Orange, and the first, third, sixth, seventh, thirteenth and fourteenth wards of the city of Newark, all in the county of Essex, shall constitute and be called the ninth district;

Tenth. The second, fourth, fifth, ninth, tenth, twelfth and sixteenth wards of the city of Newark, the towns of Irvington, Montclair and West Orange, the boroughs of Caldwell, Essex Fells, Glen Ridge, North Caldwell,

Roseland, Verona, West Caldwell and the townships of Caldwell, Cedar Grove, Livingston, Millburn, South Orange and the village of South Orange, all in the county of Essex, shall constitute and be called the tenth district;

Eleventh. The townships of Weehawken and North Bergen, the towns of Guttenberg, West Hoboken, West New York and Union and the boroughs of Secaucus, the city of Hoboken, and the second ward in the city of Jersey City, all in the county of Hudson, shall constitute and be called the eleventh district.

Twelfth. The first, third, fourth, fifth, sixth, eighth, ninth, tenth, eleventh and twelfth wards of Jersey City, all in the county of Hudson, shall constitute and be called the twelfth district.

In the interpretation of this act all reference to counties, cities, boroughs, townships, wards, election districts and other municipal divisions shall be taken to refer to such municipal divisions as they existed on the first day of January, A. D. nineteen hundred and twelve.

Interpreta-
tion of act.

Primary Elections.

Supplement of April 14, 1903. P. L. 1903, p. 603.

240. SEC. 1. In addition to the elections for filling public offices that now are or hereafter may be held under the laws of this State, there shall also be held primary elections for the selection of delegates to conventions of political parties, and for the nomination of candidates for certain public offices, as hereinafter provided; all candidates of political parties for the following offices, to wit: Presidential electors, governor, members of congress, members of the general assembly, members of the state senate, county clerk, surrogate, register of deeds, sheriff, county supervisor, coroner, mayor and for all elective offices in the state and in the cities, towns or other municipalities in this state to be voted for at the general election for members of assem-

Selection of
delegates at
primaries.
[Amended,
P. L. 1906,
p. 503.]

For what
offices.

bly by the voters of more than one ward or township, shall be nominated at conventions composed of delegates chosen at primary elections held pursuant to this act; all candidates of political parties for office to be voted for at the general election for members of Assembly by the voters of a single ward or township shall be nominated directly, without the intervention of delegates or conventions at primary elections held pursuant to this act; *provided*, that in cases where a single ward or township shall constitute an assembly district candidates for member of the assembly from such district shall be nominated at conventions composed of delegates chosen at primary elections held pursuant to this act.

If candidate
in one ward
or township.

Provide.

General plan.
Supple-
mented by
P. L. 1911,
p. 276,
sec. 32.

Time and
place.

How con-
ducted.

Primary
ballots.

Petition for
candidates.

Official bal-
lots pre-
pared by
municipal
clerks.

241. SEC. 2. The general scheme and purpose of this act shall be as follows: The said primary elections shall hereafter be conducted at public expense; such primary elections for all political parties shall be held at the same time and place; the time shall be the second registry day, and the places shall be the places of holding the said registry in the fall of each year; and said primary elections shall be conducted by the boards of registry and election in a manner hereinafter provided, from seven o'clock A. M. until nine o'clock P. M., and substantially as general elections for members of Assembly are now conducted, with official ballots, ballot-boxes, registry lists and polling booths. * * * The clerk of the city, town, township, borough or other municipality, as the case may be, shall prepare the primary ballots of all political parties from the petition filed in their respective offices as herein provided. Not less than ten (except as hereinafter provided) voters of any political party may file with the municipal clerk of their municipality a petition endorsing any member of their political party as a candidate for the nomination of said party to public office, where such nomination is to be made at the primary election and requesting that the name of the person so endorsed be printed upon the official primary ballot of such political party. The said municipal clerks shall prepare official ballots for each political party for the said primary elections from the names of the persons so endorsed, arranging them

alphabetically, or in groups, as hereinafter provided.

* * * * * In addition to the registry lists hereinbefore provided, there shall also be kept two books or lists, one for each political party, which shall be called and labeled Republican Primary Book, and Democratic Primary Book, or as the case may be; the board of registry and elections shall cause the name of each voter at said primary to be written in ink, in the primary book of the party in whose ballot-box his vote is deposited. Each of these primary books shall be signed by the members of the board of registry and elections and delivered by said board to the clerk of the municipality at the time of the delivery of the ballot-boxes; said primary books shall be kept by said clerk until the ensuing primary election, and then delivered by him to the board of registry and elections for use at such ensuing election. At any primary election the members of the board conducting the primary election for each political party shall refuse to receive the vote of any voter offering to vote in the ballot-box of their political party, if the name of such voter appears in the primary book of the other political party as made up at the next previous primary election. [The said primary books shall be kept by the municipal clerk subject to public inspection, and any voter whose name appears therein may apply to the judge holding the circuit court for his county, at any time prior to the next primary election to have his name stricken from said book; and said judge shall have power to hear said application in a summary way, at such time and upon such notice to such person as he may prescribe, and if satisfied that the applying voter's name has been improperly placed on said primary book, said judge may make an order directing the municipal clerk to erase said name from said primary book, and said clerk shall thereupon erase the same.]

Party
primary
books.

Party
Voter's name
must appear
in previous
primary
book.

Primary
books open
to inspection.

Its cor-
rection.

242. SEC. 3. A political party within the meaning of this act shall be a political party which at the election for members of the general assembly next preceding the holding of any primary election held pursuant to this act polled for members of the general assembly at

Political
party and
convention
defined.

least five per centum of the total vote cast in the territorial district or division in and for which the nominations are made or delegates are chosen; the word "convention" within the meaning of this act shall be a "convention of delegates" or "nominating body of a political party" as defined in section thirty-eight of the act to which this act is a further supplement.

Preparation of primary ballots,

[Amended, P. L. 1912, p. 776.]

Petition; what to contain.

Petition verified.

243. SEC. 4. The official primary ballots to be used at all primary elections held pursuant to this act shall be prepared in the following manner, to wit: A number of voters, not less than the number hereinafter specified, who are members of the same political party, may prepare and sign, with their names, residences and post-office addresses, a petition addressed to the clerk of such municipality as may be proper pursuant to the requirements of this act, setting forth that the signers are qualified voters of the township, borough, ward or election district, as the case may be, in which they reside; that they are members of a political party (naming the same), and that at the last election for members of the general assembly preceding the execution of said petition they voted for a majority of the candidates whose names were printed in the first place upon the ticket of such party, and that they intend to affiliate with said party at the ensuing election; that they endorse the person or persons named in their petition as candidate or candidates for nomination for the office or offices therein named, and that they request the said clerk to print upon the official primary ballot of such political party the name of the person or persons therein mentioned as the candidate or candidates for such nomination, said petition shall further state the residence and post-office address of each person so endorsed, and shall certify that the person or persons so endorsed is or are legally qualified under the laws of this State to be nominated; each of the said petitions shall be verified by the oath or affirmation of one or more of the signers thereof, taken and subscribed before a person qualified under the laws of New Jersey to administer an oath, to the effect that such petition is signed in their

own proper handwriting by each of the signers thereof; that such signers are, to the best of their knowledge and belief of the affiant, legal voters of the said township, borough, ward or election district, as the case may be, as stated in said petition, belong to the political party named in said petition, and that such petition is prepared and filed in absolute good faith for the sole purpose of endorsing the person or persons therein named, in order to secure his or their nomination or selection as stated in said petition, *provided*, that if the said candidate or candidates for nomination for the office or offices in said petition named, are to be voted for throughout an entire township, borough, or ward then there must be at least twenty-five signers to any such petition all of whom must be resident of the said township, borough or ward; and if said candidate or candidates for nomination are to be voted for only in a single election district or in a township, borough, or ward which contains but one election district, then there must be at least ten signers to any such petition, all of whom must be resident in the said election district; *provided, further*, that the number of signers to any such petition in any case need not exceed five per centum in number of the total vote cast at the last election for members of the general assembly in said township, borough, ward or election district, as the case may be; *and provided, further*, that the signers to any single petition shall not therein endorse or recommend more persons as candidates for the position than are to be chosen at the ensuing primary election in the township, borough, ward or election district, as the case may be, in which the signers to said petition reside nor shall said signers endorse more persons as candidates for nomination to office than are to be elected in the township, borough, ward or election district, as the case may be, in which such signers reside; said petitions shall be filed with the municipal clerk not less than twenty days prior to said primary election.

Proviso.

Proviso.

Proviso.

244. SEC. 5. Accompanying said petition each person endorsed therein shall file a certificate, stating that he is qualified for the office mentioned in said petition; that he consents to stand as a candidate for nomination at

Certificate of acceptance to accompany petition and the form thereof.

the ensuing primary election, and that if nominated, he agrees to accept the nomination; the name of any person endorsed as aforesaid who shall fail to certify his consent and agreement as aforesaid shall not be printed upon the ballots to be used at such primary election.

City and county committees elected at primary elections. [Amended, P. L. 1909, p. 159.]

245. SEC. 6. In any county in this state the county or city committee of any political part shall be hereafter elected at the primary elections herein provided for, and the members of such county or city committee shall be elected by election districts at such primary elections in the manner provided in this act for the selection of party candidates to be voted for by the voters of a single ward or township; and the chairman of each county or city committee shall, on or before the first day of July in each year, file with the clerks of the several municipalities the number of committeemen to be elected to such county or city committee in each year, as provided by the constitution or by-laws of such committee.

246. SEC. 7. Superseded by the General Act, Chapter 183, P. L. 1911, see paragraph 356 to 358 *post*, and Chapter 416, P. L. 1912, see paragraph 441, *post*.

Democratic Primary Ticket.

247. SEC. 8. Supplemented by P. L. 1911, p. 276, sec. 40. See paragraph 356, *post*.

Ballots, how printed.

248. SEC. 9. All ballots shall be printed on plain white paper uniform in size and quality and type and of such thickness that the printing thereon cannot be distinguished from the back of the paper, and without any mark, device or figure thereon except as in and by this act provided; * * *

Number of ballots furnished.

249. SEC. 10. Said municipal clerk shall, prior to each primary election, at the time and as herein directed, provide and furnish for each existing political party,

members of which have filed petitions as aforesaid, for the use of the voters at such primary, for each election district in his respective municipality, ballots of the kind and description aforesaid, equal to double the number of votes cast by such political party at the then last preceding election for members of the general assembly held in such election district; when an election district shall be divided or the boundaries thereof changed, or a new district created, the municipal clerk shall ascertain as nearly as may be possible the number of voters in the new or re-arranged or divided district, and provide therefor a sufficient number of ballots in the above proportion; no envelope shall be used at the primary elections held pursuant to this act.

250. SEC. 11. At least twenty days before any primary election shall be held under the provisions of this act, the clerk of the several municipalities of the state as may be proper, pursuant to this act, shall provide for and secure in each election district of their respective municipalities, a suitable room in which to hold the registry and the said primary election, and immediately on procuring said room, such clerk shall notify the registry or poll clerk, or board of registry and elections, of said voting district, that such room has been procured; and it shall be the duty of the clerk procuring such room to arrange the same for a polling room, in the manner required by law for general elections, and to have constructed therein and ready for use before the primary elections, booths and compartments of the kind, number and description as are or may be by law required to be provided at the annual election for members of the general assembly; black lead pencils shall be provided and placed in said booths or compartments for use by the voter in preparing his ballot to be voted, and no other kind of pencil shall be used for such purpose.

Voting places, booths, etc., to be provided by municipal clerks.

Black lead pencils to be furnished.

251. SEC. 12. The said municipal clerk shall, on the morning of the day preceding any primary election wherefore they are required by this act to provide ballots, cause to be delivered, at his office, to the clerks of

Delivery of ballots and boxes and receipt for same on primary day.

the board of registry and election of each election district within his municipality, the ballots and the ballot-boxes provided for each election district, and to take a receipt of each election clerk therefor, which last mentioned receipt the clerk of such municipality shall file and preserve for the period of one year; said election clerks shall, on the morning of the primary election, before proclamation of the opening of the polls, deliver the ballot-boxes and the ballots by them received to the election boards of their respective election districts, with the seals thereof unbroken, and shall take receipts therefor from said election board, which said receipts said election clerks shall file with the municipal clerk, and the same shall be preserved for one year; said municipal clerk shall provide a separate ballot-box for each political party for each election district in his respective municipality; said ballot-boxes shall be each composed of four glass sides, at least one foot wide and one foot high, with a wood or metal bottom and top, and with an opening at the top through which the ballots shall be inserted into the box; any ballot-box which can legally be used at any general election for members of general assembly may be used at the primary elections held pursuant to this act.

Amended,
P. L. 1910,
p. 117.

Separate box
for each
party.

Kind of box.

Charge of
ballot-
boxes.

All election
officers to
act.

252. SEC. 13. The two members of such board appointed from the political party which at the last preceding general election cast the largest number of votes in their county shall conduct the primary election of such party, having sole charge of the ballot-boxes of said party, and delivering, receiving and depositing the official ballots voted by members of such party, and having the sole right to challenge the voters offering to vote the ticket of such party as in this act provided; and the members of said board appointed from the political party casting the next largest number of votes in said county at said election shall, in like manner, conduct the primary election of such political party. All of the members of said board of registry and election shall conduct the primary election of any other political party holding a primary election under this act, and shall also ascertain and certify to the result of the pri-

mary election of all political parties holding primary elections under this act in the manner herein provided in section fifteen; *provided*, that before proceeding with such election each of the four members of the board of registry and election shall take and subscribe an oath to be administered by any duly qualified person, or by one member of the board to the others, that they and each of them will, to the best of his understanding and ability, conduct such primary election honestly and in accordance with law; that they will challenge, in the manner provided in this act, the vote of any person offering to vote at such election whom they believe not entitled to vote thereat, and that they will also challenge the vote of any person at such election offering to vote in the ballot-box of one existing political party, whom they believe, or have reason to believe to belong to another existing political party, and that they will refuse to receive the vote of such person, in case such vote is challenged, until he shall have taken an oath or affirmation, to be administered by a member of the board in the form prescribed. See P. L., 191, p. 276, sec. 32, paragraph 349. *post*.

Proviso.

Oath.

Right to challenge.

* * * if the person so challenged shall refuse to take the oath or affirmation so tendered to him he shall be deemed not to be qualified or entitled to vote at such primary election. Any person making such oath or affirmation falsely shall be guilty of perjury. Any voter who shall be shown by the primary book hereinafter provided to have voted in the ballot-box of one political party at any primary election held under this act shall not be allowed to vote in the ballot-box of any other political party at the next thereafter succeeding primary election. * * * The said primary books shall be kept by the municipal clerk subject to public inspection, and any voter whose name appears therein may apply to the judge holding circuit court for his county, at any time prior to the next primary election, to have his name stricken from said book; and said judge shall have power to hear said application in a summary way, at such time and upon such notice to such persons as he may prescribe, and if satisfied that the applying voter's name has been improperly placed on said primary book,

Perjury.

Voter not to vote in box of other party at next election.

Books open to inspection.

Its correction.

Notice of
primaries.

said judge may make an order directing the municipal clerk to erase said name from said primary book, and said clerk shall thereupon erase the same. * * * Notice of the time and place of holding such primary elections shall be given by the poll clerks by five or more advertisements posted at conspicuous places in the election district at least ten days before such primary elections.

253. SEC. 14. * * * nothing herein shall prevent any voter from voting for any person whose name is not on his party ticket by writing the same thereon; * * *

Canvassing
the votes.

Statement
of election.

254. SEC. 15. At the close of the primary election, the board of registry and election shall forthwith proceed to canvass and count the votes cast at such election, proceeding in the manner indicated by the statement hereinafter in this section provided for, and as nearly as may be in the manner required by law; the said boards of election shall at the conclusion of such canvass make up and sign a statement of the result of such election, which statement they shall as soon as may be transmit to the clerk of the municipality within which the said primary election is held; said statement shall in words at length show the entire number of votes cast at such election, the whole number of ballots rejected, the whole number of ballots cast for each party as indicated by the party names at the head of the respective party tickets, and the number of votes received by each person as a candidate for nomination for office, or for the position of delegate; such statement shall be in the following or like form:

Form of
statement.

Statement of the result of a primary election held in
the election district of the
(municipality) in the county of and state
of New Jersey on the day of
191 :

At said election the total number
of votes cast was:

The total number of democratic ballots cast was:

The total number of republican ballots cast was

The total number of citizens' reform ballots cast was:

The total number of democratic ballots rejected was:

The total number of republican ballots rejected was:

The total number of citizens' reform ballots rejected was:

For candidates of the democratic party for the position of delegate to the democratic state convention:

John Doe	received	votes;
Richard Doe	received	votes;
Thomas Jones	received	votes.

And in like form for all parties having candidates voted for at such election. To such statement shall be added a certificate in the following form:

We certify the foregoing to be a true and correct statement of the result of the primary elections held in such district at the time above stated; that the same truly and correctly exhibits the entire number of votes cast for each political party at such election, the whole number of ballots rejected and the number of said ballots rejected belonging to each party respectively; also the number of votes received by any person to be a candidate of any party for any office, or for the position of delegate named on any ballot or ballots cast at such election.

Certificate
added to
statement.

In witness whereof, we have hereunto set our hands
this day of , one thousand nine
hundred and .

_____	} Board of Registry and Election.

Who elected
delegates.
[Amended,
P. L. 1906,
p. 509.]

Time and
place of
convention.

If tie vote.

Credentials.

Selection of
candidates in
wards and
townships.

255. SEC. 16. The persons receiving the highest number of votes for the position of delegate to any convention (a) on any ticket of any political party at such primary election, to the extent of the number of delegates which the respective election districts are entitled to send to the said convention, shall be the duly-elected delegates to such convention, and said persons and no others shall be entitled to sit in the said convention as delegates as aforesaid, subject to the right of the said convention to be the judge of the qualifications of its own members in the case of a contest. The time and place of holding such conventions shall be determined by the State, * * * committee of the respective political parties, but shall in all cases be after the holding of the primary election as herein provided. In the event that by reason of tie voting more candidates shall receive a sufficient number of votes to entitle them to be elected as delegates than the number of delegates the election district is entitled to send to the convention, the additional candidates so voted for shall be considered as chosen delegates to said convention, but in such convention they shall be entitled only to the appropriate fraction of a vote; that is to say, if an election district shall be entitled to send three delegates to a convention, and two candidates receive respectively the highest and the next highest number of votes, and the three candidates receiving the next highest number of votes shall each receive the same number of votes, the said three candidates shall also be elected delegates to the convention, but shall be entitled to only one-third of a vote each therein. The said municipal clerk shall deliver a certificate showing the result of said election to each of the persons ascertained as aforesaid to be successful candidates, which certificates shall be the credentials of the said delegates at the ensuing conventions of the respective parties.

256. SEC. 17. The municipal clerk shall send to the county clerk of his county a certificate showing the person in each political party receiving the highest number of votes for any office for which the candidate is to be voted for at the general election only in a single ward or township, and such person shall be the candidate of his political party at the ensuing election, and the county clerk shall

cause his name to be printed as such candidate upon the official ballot of his party; in the event of a failure to select such candidate for any political party by reason of two or more persons receiving the highest and the same number of votes, the proper committee of the said political party shall select from the said candidates one to be the party candidate for the office in question, and file a statement of such selection with the municipal clerk and the person so selected shall be the candidate of the party at the ensuing election; in the event of a failure of the said committee to make such selection, the municipal clerk shall make the selection from the persons receiving said highest and the same number of votes; in the event that any candidate chosen at a primary election for any office, the candidates for which are to be voted for only by the voters of a single ward or township, shall die, or remove from the ward, township or borough, or decline to run as a candidate, before the ensuing election, the proper committee of the party to which the person so declining or dying belongs shall have the power to fill said vacancy by filing a new nomination with the proper municipal clerk; notice of the selection as aforesaid shall be given by the municipal clerk to the county clerk.

Vacancies.

257. SEC. 18. Whenever it shall appear that any error or omission has occurred in the printing of the ballots for any primary election, by any municipal clerk, any voter resident in any election district affected by such error or omission may present to the justice of the supreme court holding the circuit court in and for the county containing said election district a verified statement setting forth such error or omission, and such justice, being satisfied thereof, shall thereupon summarily, by his order, require the municipal clerk to correct such error and omission, or show cause why such error and omission should not be corrected.

Correction
of errors
in ballots.

Vacancies
among candi-
dates at
primary
election.
Amended,
P. L. 1910,
p. 397,
Supple-
mented by
P. L. 1911,
p. 762.
See par. post.

New petition.

258. SEC. 19 Should any person endorsed in any petition as a candidate to be voted for at any primary election, die before such election, or in writing filed with the municipal clerk fifteen days before the primary election, decline to stand as a candidate, the vacancy or vacancies thus caused shall be filled by a majority of the persons signing the petition in and by which the person so dying or declining was endorsed, filing within three days after the occurrence of such vacancy with the municipal clerk a new petition, setting forth the name of the person declining or dying, the office for nomination to which or the position of delegate for which he was endorsed, and the name of the person to be substituted; the said petition shall be verified by three of the signers; the said new petition shall have the same force and effect as the original petition, and the name of the person so substituted shall be printed upon the ballots in the place and stead of the person dying, or declining as aforesaid.

Vacancies
among
delegates.
[Amended,
P. L. 1906,
p. 610.]

259. SEC. 20. In the event that any person so elected a delegate as aforesaid to any convention shall, after such election and before the meeting of such convention, die, or in writing addressed to the chairman of said convention shall decline to act as such delegate, his place as such delegate shall be filled by a majority vote of the other delegates selected from the election district in which the person so dying or resigning was elected.

Member of
one party not
to petition or
vote in box
of another,

260. SEC. 21. No member of one political party shall sign his name to any petition purporting to endorse any person as a candidate for delegate to the convention of another political party, or as a candidate for office of another political party, nor shall any member of one political party vote in the ballot-box used for the primary election of another political party; any person who, being a member of one political party, shall sign his name to any petition endorsing any person as a candidate for delegate to the convention of another existing political party, or as a candidate for office of another political party or any person who, being a member of one political party, shall vote in the ballot-box used for the pri-

mary election of another political party, shall in each case be guilty of a misdemeanor, and, on conviction, shall be punished by a fine not exceeding five hundred dollars, or be imprisoned not exceeding two years, or both, at the discretion of the court.

Penalty.

261. SEC. 22. If at any primary election the ballots for any political party to be furnished therefor as hereinbefore provided, shall not be delivered at the time above mentioned, or after delivery they shall be destroyed or stolen, and other official ballots cannot be obtained in time for such primary election, it shall be the duty of such municipal clerk, or the clerk of the board of election, as the case may be, to cause other ballots to be printed as nearly in the form prescribed by this act as practicable, but without the endorsement on the top thereof, which ballots so substituted shall be used at such primary elections; if from any cause neither the official ballot or ballots otherwise prepared as hereinbefore described shall be ready for distribution at any polling place, or if the supply of ballots for any political party shall be exhausted before the polls are closed, unofficial ballots, made as nearly as possible in the form of official ballots, shall be used; where the use of official ballots is for any of the reasons aforesaid dispensed with, the mode and manner of voting shall nevertheless in all respects conform as nearly as possible to the directions and requirements of this act.

When ballots not official may be used.

262. SEC. 23. Supplemented by P. L. 1911, p. 276, paragraph 344, *post.*

To what elections this act is applicable.

263. SEC. 24. Nothing in this act contained shall apply to or in anywise affect any election hereafter to be held in this state upon any day other than the day of the general election for members of the general assembly.

264. SEC. 25. The chairman of the county committee of each political party in each county of the state may

Challengers.
[Amended,
P. L. 1908,
p. 185.]

Candidates
as chal-
lengers.

appoint two agents for each election district in his county; such agents shall be the authorized agents and challengers of their respective parties at the primary elections held under this act, and shall be at liberty to challenge the right of any person to vote thereat; the appointment of agents may be made in writing under the hand of the respective county chairmen, and shall specify the names and residences of the agents, and the election districts for which they are severally appointed; such appointment papers shall be filed with the respective boards of election in the districts named therein as evidence of the authority of such agents to be present in the polling place; said agents may be present inside the railed enclosure while the votes cast at the primary are being cast and counted, and hear and see said ballots counted (and every person whose name shall be printed upon the official primary ballot shall also have the rights and privileges of a challenger as hereinbefore provided), and every person whose name shall be printed upon the official primary ballot, and who is to be voted for throughout the county, shall have the right to act as a challenger, and also to appoint in writing two agents for each election district in his county, and said agents shall have the rights and privileges of an agent and challenger, as provided in this section.

265. SEC. 26. [This section amends section 15 *ante*, which see.]

266. SEC. 27. [This section amends section 20 *ante*, which see.]

267. SEC. 28. [This section amends section 21 *ante*, which see.]

268. SEC. 29. [This section amends section 23 *ante*, which see.]

269. SEC. 30. [This section amends section 60 *ante*, which see.]

270. SEC. 31. Supplemented by P. L. 1911, p. 276, secs. 10, 11. Paragraphs 327 and 328, *post*. Repealer.

271. SEC. 32. Section two hundred and sixteen (216) of the act to which this act is a further supplement is hereby repealed.

272. SEC. 33. The following sections of the act to which this act is a further supplement shall apply, as far as may be, to the primary elections held pursuant to this act; sections thirty-three (33), thirty-four (34), thirty-five (35), thirty-six (36), forty-eight (48), fifty-three (53), fifty-five (55), fifty-six (56), fifty-seven (57), fifty-eight (58), fifty-nine (59), sixty-two (62), sixty-three (63), sixty-five (65), sixty-six, (66), sixty-eight (68), to seventy-nine (79) (both inclusive), eighty-one (81), eighty-two (82), eighty-three (83), eighty-four (84), eighty-six (86) to ninety-two (92), (both inclusive), ninety-eight (98), ninety-nine (99), one hundred (100), one hundred and fifty-nine (159), one hundred and sixty (160), one hundred and sixty-one (161), one hundred and seventy-nine (179), one hundred and eighty (180), one hundred and eighty-six (186), one hundred and eighty-seven (187), one hundred and eighty-eight (188), one hundred and ninety (190), one hundred and ninety-one (191), one hundred and ninety-three (193) to two hundred and thirteen (213), (both inclusive), two hundred and fourteen (214), two hundred and fifteen (215), two hundred and seventeen (217), two hundred and eighteen (218) and two hundred and nineteen (219).

Sections of election law applicable to primary elections.

[Amended, P. L. 1908, p. 635.]

273. SEC. 34. All acts and parts of acts which in anywise conflict with the provisions of this act are hereby repealed, and this act shall take effect immediately. Repealer.

Supplement of January 20, 1905. P. L. 1905, p. 11.

Nomination
to fill
vacancy in
legislature.

274. SEC. 1. That whenever a writ of election shall be issued by either of the senate or house of general assembly of the state of New Jersey for the purpose of filling vacancies which shall arise from the death, resignation or otherwise of any member of either of said bodies that the political parties of the county to which such writ of election shall be directed may nominate candidates for the office in which such vacancy has occurred, in such manner and under such regulations as shall be provided by the county committee of the respective political parties.

Supplement of January 25, 1905. P. L. 1905, p. 12.

Advertising
writ of
election
to fill
vacancy in
legislature.

Nomination
certified.

275. SEC. 1. That whenever a writ of election shall be issued by either the senate or house of general assembly of the state of New Jersey for the purpose of filling vacancies which shall arise from the death, resignation or otherwise of any member of either of said bodies, the advertising of the writ of election in at least four newspapers, if so many there be in said county, said advertising shall be published as nearly as may be equally in newspapers of the different political parties so as to afford the widest possible information to all voters of every political party, and shall be published as often as required by the writ of election, shall constitute a sufficient notice of the holding of such election to the legal voters therein; the convention or body making such nomination shall certify to the clerk of the county the name of the person or persons selected as a candidate under the hand of the presiding officer of the convention or other body making such nomination, together with an acceptance of such nomination signed by the person selected as a candidate and such certificate of nomination and acceptance shall be filed with the clerk of the county six days before the time fixed by the writ

for the holding of such election; the local boards of registry and election shall meet at the place where such election is to be held in the respective voting districts or precincts, on the Friday preceding the day set for the holding of such election, at one o'clock in the afternoon, and remain in session until eight o'clock in the evening for the purpose of revising and correcting the registers of voters by adding thereto the names of persons entitled to vote whose names do not appear thereon; the registers of voters used at the last preceding election shall be used at such special election; the clerk of the county in which such election shall be called shall provide official ballots and envelopes of the same kind and under the same regulations as provided for in the law to which this is a supplement; the local boards of registry and election shall make return of the result of such election to the clerk of the county board of registry and election within twenty-four hours after holding such election; the county board of registry and election shall meet on the Thursday following the holding of such election and shall canvass the vote and certify the result to the clerk of the county, and the clerk of the county shall within three days after such election is held deliver a certificate of the determination of the county board of registry and election and the certificate appended thereto to the successful candidate and transmit another copy of the same to the secretary of state at Trenton; the clerk of the county shall issue to the successful candidate a certificate of election immediately after the vote shall be canvassed by the county board of registry and election; official ballots shall be supplied to parties applying for them under the same conditions and regulations as provided in the act to which this is a supplement; except as herein approved, such special election shall be conducted in the same manner and under the same conditions, restrictions and penalties as general elections for members of assembly.

Registration.

Official
ballot.

Returns.

Certificate
of election.

Compensation.

276. SEC. 2. The members of the boards of registry of election shall each receive ten dollars and no more for all services rendered under the provisions of this act.

Supplement of April 6, 1905. P. L. 1905, p. 224.

277. SEC. 1. Supplemented by P. L. 1911, chap. 188, sec. 31, paragraph 420, *post*.

Penalty for illegal registering, voting, assisting, abetting or acting at election.

278. SEC. 2. Whoever shall solicit the registering of his name on the registry list of any election district or precinct in this state, knowing that he is not a legal voter in such district or precinct; whoever shall willfully counsel, procure, aid, advise, assist or abet in the registering of the name of any other person on the registry list of any election district or precinct, knowing such other person is not entitled to vote therein; whoever at any election, knowing that he is not a qualified voter, votes thereat; whoever at any election votes or attempts to vote more than once on his own name; whoever at any election votes or attempts to vote in more than one election district or precinct; whoever at any election votes or attempts to vote upon any other name than his own; whoever knowingly casts or attempts to cast more than one ballot at one time of balloting; whoever at any election counsels, procures, aids, advises, assists or abets any person, knowing that he is not a qualified voter, to vote thereat; whoever at any election counsels, procures, aids, advises, assists or abets any person in voting in more than one election district or precinct; whoever at any election counsels, procures, aids, advises, assists or abets any person to vote or to attempt to vote upon any name other than his own, or knowingly casts or attempts to cast more than one ballot at one time of voting; whoever at any election in this state shall in any way willfully mark or deface his ballot, or shall willfully counsel, procure, aid, advise, assist or abet any person in the marking or defacing of a ballot; whoever at any election in this state shall in any way counsel, procure, aid, advise, assist or abet any official or person in any act which is

contrary to the provisions of this act or the act to which this is a supplement; whoever at any election in this state shall in any way wilfully hinder or prevent a voter from casting his legal vote, knowing such person to have a right to vote; whoever shall wilfully tamper with, injure, mutilate, destroy or render unfit for use, any ballot-box * * * shall be guilty of a misdemeanor and punishable by a fine of five hundred dollars or imprisonment in state prison for the term of three years, or both.

Supplement of April 12, 1905. P. L. 1905, p. 262.

279. SEC. I. It shall be the duty of the justice of the supreme court assigned to hold the circuit court, and the judge of the court of common pleas, in each of the several counties of this state, or one of said judges, to sit and hold a court of common pleas at the court house in their respective counties on the Monday next preceding the day of the general election for members of the general assembly, from eight o'clock in the forenoon till five o'clock in the afternoon, to revise and correct the registry of election in the several election districts in such county, and in case any legal voter in any election district has been refused the right to register, or his name has been improperly or inadvertently left off the registry-list, he may, on said day, apply in person, to said court, for the purpose of having his name placed upon the register, and the said court upon such application and upon satisfactory evidence that such person is a legal voter entitled to vote at such election, may give a certificate under the seal of the court to that effect, and the clerk of the court shall add the name of such voter to the proper register on file with him; such voter may, upon the day of election, present said certificate to the board of registry and election of the district in which he is entitled to vote, and said board shall receive and file said certificate and add his name to the register, and he shall thereupon be allowed by said election board to vote at said election.

Revision of
registry list
by the court.

Name
added.

Court in
session on
election day.

280. SEC. 2. It shall also be the duty of said justice of the supreme court and the said judge of the court of common pleas, or one of them, to sit and hold a court of common pleas at the court house in their respective counties on the day of the general election for members of the general assembly from eight o'clock in the forenoon till seven o'clock in the evening, and in case the vote of any person registered, in any election district; has been refused or rejected by the district board of elections, in such district, the said court shall, upon application, in person, by the person so refused or rejected, proceed, in a summary way, to inquire whether such person is entitled to vote in such election district; and if the court shall find that such person is legally entitled to vote in said election district, it shall issue a certificate, under its seal, to the board of registry and election of the district in which such person is entitled to vote, reciting that such person is entitled to vote in such election district and shall deliver such certificate to such person; such person may present said certificate to the board of registry and election of the district in which he is entitled to vote, and said board shall receive and file said certificate, and thereupon he shall be allowed to vote at such election.

Duties.

Registers
delivered
to county
clerk.

281. SEC. 3. The county board of elections, in each of the several counties of this state, shall deliver to the county clerk, at or before eight o'clock in the forenoon, on the Monday next preceding the general election, all the copies of the registers which were in their possession on the Saturday next preceding said general election, who shall have the same in court for the use of the court while acting under the authority conferred by this act; said registers shall be returned by the said county clerk to the custody of the county board of elections on the day after the election shall be held.

Summary
action of
court.

282. SEC. 4. In making investigations under this act to determine the right of any person or persons to vote or to register, the court shall have power to act upon such application or matter in a summary manner, and to issue subpœnas for the production of papers, or the

appearance of persons with like power, jurisdiction and authority as said court would have in any civil cause pending therein; the sheriff of the county or a deputy duly appointed by him, shall be authorized and required to serve all processes issued out of the said court on any application pending under this act, and he shall also be authorized and required to enforce any orders or proceedings made, entered and directed to be executed by the said court.

Duty of
sheriff.
When

283. SEC. 5. If any board of registry and election, or any member thereof shall fail or refuse to comply with the order of the said court made in any proceeding taken under this act, such failure or refusal to so comply may be dealt with and punished as and for contempt of court.

election
officer in
contempt.

284. SEC. 6. It shall be the duty of the county clerk, as clerk of the court of common pleas, to attend upon the sessions of court required to be held under this act, either in person or by deputy, at all times during the sitting thereof, and to record and keep the minutes of the said court in any matters arising under this act, and for such service he shall be entitled to receive and be paid by the county collector, for each days' attendance, the sum of ten dollars.

Duty of
county
clerk.

285. SEC. 7. Each of the judges holding the court of common pleas, as herein required, shall be entitled to receive the sum of twenty dollars for each day he shall be personally present, pursuant to the provisions of this act, in addition to the salary to which he is now entitled by law, which sum shall be paid by the collector of the county as other court expenses are paid.

Compensa-
tion of
judges.

Supplement of May 16, 1906. P. L. 1906, p. 497.

286. SEC. 1. It shall be the duty of all town, township, borough, city or other municipal clerks, at least forty-five days before any general or state election, to make

Statement
by municipal
clerk of
office to be
filed.

and certify under their hands and seals of office and forward to the clerk of the county in which such town, township, borough, city or other municipality is located a statement designating the town, township, borough, city or other municipal offices which are to be filled at such election, and the number of persons to be voted for each office.

Offices to be
filled printed
on ballot.

287. SEC. 2. It shall be the duty of the county clerk of each county, in the preparation of official ballots under the act to which this act is a supplement, to place on such official ballots for each party or group of petitioners having candidates to be voted for at any election the name or title of each office to be filled at such election, whether such party or group of petitioners shall have made any nomination for such office or not.

Supplement of May 24, 1906. P. L. 1906, p. 657.

Schedule of
appropriations
on
primary
ballots.

288. SEC. 1. The members or any political party which now is or may hereafter be entitled to nominate candidates at the primary elections provided for in the act to which this act is a supplement, in all municipalities where tax levies and appropriations of money to be raised by tax are fixed by a vote of the people, in addition to nominating delegates or candidates at such primary elections, may also vote for a schedule of appropriations to be placed on the party ticket at the ensuing election; if the petitioners nominating candidates for office or for delegates shall include in their petition an endorsement of any proper schedule of appropriations, accompanied with a prayer that the schedule of appropriations be placed on the primary ballots, the clerk or other officer whose duty it may be to prepare the primary ballots shall place thereon such a schedule of appropriations according to the prayer of such petition. The result of such primary election in the premises shall be certified as in the case of candidates nominated at said election. Nominations of candidates by

petition may also endorse a schedule of such appropriations. The party ballot or party column of any voting machine shall contain the schedule of appropriations as determined by the voters at such primary election, as prayed for in any such petition.

Supplement of Oct. 28, 1907. P. L. 1907, p. 697.

289. SEC. 1. Hereafter all candidates of political parties for the following offices, to wit, members of state senate, members of general assembly, county clerk, surrogate, register of deeds, sheriff, county supervsoir, coroner, mayor and all for elective offices of any county in this state, to be voted for at the general election for members of the general assembly, by the voters of any county in the state, or of any political subdivision thereof shall be nominated directly without the intervention of delegates or conventions, at the primary elections held pursuant to the act to which this act is a supplement, and the acts amendatory thereof and supplemental thereto. Supplemented by P. L. 1911, page 298, sec. 37, paragraph 353, *post*.

Direct
nominations
at
primaries.

290. SEC. 2. Not less than one hundred voters of any political party may file with the county clerk of their county a petition or petitions endorsing any member or members of their political party as a candidate or candidates for the nomination of said party to any public office of any county and requesting that the name of the person or persons so endorsed be printed upon the official primary ballot of such political party. The said petition or petitions shall be signed in the manner and form provided for the signing and filing of nominating petitions under the act to which this act is a supplement, and shall have attached thereto the affidavit and acceptance as required by said act. Said petition or petitions shall be filed with the respective county clerks at least twenty-five days prior to the time fixed by law for the holding of such primary election, and the said county clerk shall certify all of said

Petition to
place names
on primary
ticket.

Time for
filing.

[Amended,
P. L. 1910,
p. 249.]
Supple-
mented by
P. L. 1911,
chap. 867,
p. 762.

Ballot pre-
pared by
municipal
clerk.

nominations to the clerks of each municipality in his respective county as least twenty days prior to the time fixed by law for the holding of said primary elections, specifying in said certificate the political party to which the person or persons so nominated belong, and said municipal clerks shall each respectively prepare the official primary ballot as required by the act to which this act is a supplement and shall cause to be printed upon the respective tickets for each political party under the name of the office or offices to be filled, the names of all persons so certified as nominated for the respective offices to be filled, in addition to the other names to be printed thereon as required by law. * * *

Result of
primary
election filed
with county
clerk, who is
to canvass
returns.

[Amended,
P. L. 1908,
p. 413.]

291. SEC. 3. The board of registry and election in each election district of every county in this state shall include the results of such primary election as to the candidates affected by this act in the statement which they are now required by law to transmit to the municipal clerk, and the said municipal clerk shall forthwith transmit the said results to the county clerk, who shall forthwith canvass said returns, and the person having in the aggregate the highest number of votes shall be the candidate of his respective party for the office to be filled. In case more than one person is to be elected to the same or similar office, the persons having the highest number of votes to the extent of the number of offices to be filled shall be the candidates of their respective parties for the said offices. In the event of a failure to select a candidate of any political party for any office affected by this act, by reason of two or more persons receiving the highest and the same number of votes, the chairman of the county committee of said political party shall select from said candidates one to be the party candidate for the office in question, and file a statement of such selection with the county clerk, and the person so selected shall be the candidate of the party at the ensuing election. The county clerk shall cause to be printed upon the official ballots * * * to be used at the succeeding general election, the names of the candidates nominated as aforesaid to fill the respective offices.

Names of
candidates
on ballots.

292. SEC. 4. Not less than fifty voters of any political party in any municipality of this state other than a county, may file with the clerk of such municipality a petition endorsing any member of their political party as a candidate for the nomination of said party to public office in said municipality in accordance with and in the manner provided by the act to which this is a supplement for the endorsing of candidates for nomination in a single ward or township, and such municipal clerk shall cause the names of all persons so nominated to be printed upon the official primary ballots of the respective political parties, in the election districts, the voters of which are entitled to vote for such candidate, and the result of said primary election shall be transmitted to the municipal clerk, and by him to the county clerk of said county in the manner provided in the preceding section of this act, and the person receiving the highest number of votes shall be the candidate of his political party at the ensuing election, and the county clerk shall cause his name to be printed as such candidate upon the official ballot * * * to be used in the election districts entitled to vote for said office; *provided*, that nothing in this section contained shall interfere with or alter the provisions of an act to which this act is a supplement, provided for the nomination of candidates for public office in a single borough, ward or township.

Endorsement by petition to place name on primary ticket.
[Amended, P. L. 1908, p. 413.]

Name on.

Proviso.

292-a. SEC. 5. The provisions of this act shall be construed in conjunction with the provisions of the act to which this is a supplement and the several supplements thereto and amendments thereof, and said acts shall apply to the nominations provided by this act, except where inconsistent therewith.

Act, how construed.

Amended, P. L. 1908, p. 413.

Supplement of May 3, 1906. P. L. 1906, p. 384.

293. SEC. 1. Any person who shall, directly or indirectly, by himself or by any other person in his behalf, give, lend, or agree to give or lend, or procure, or agree to procure of offer or promise to procure, or endeavor to procure, any

Bribery at election a misdemeanor.

money or other valuable consideration or thing, or any office, place or employment to or for any voter, or to or for any person, in order to induce such voter to vote or refrain from registering or voting at any election, or shall corruptly do or commit any of the acts in this section mentioned, on account of any voter having voted or refrained from voting, or having registered or refrained from registering for any election, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to disfranchisement for a period of five years from the date of conviction.

Penalty.

Contributing
with view to
bribery a
misdemeanor.

294. SEC. 2. Any person who shall give, advance or pay, or cause to be given, advanced or paid, any money or other valuable thing to any person, or to the use of any other person, with the intent that such money or other valuable thing, or any part thereof, shall be expended, or used for bribery of voters, or for any other unlawful purpose at any election, or who shall knowingly pay, or cause to be paid, any money to any person wholly or in part expended in bribery of a voter or voters at any election, shall be guilty of a misdemeanor, and, on conviction thereof, shall be sentenced to disfranchisement for five years from the date of conviction.

Penalty.

Receiving
rewards or
promises a
misdemeanor.

295. SEC. 3. Any person who shall, directly or indirectly, by himself, or by any other person on his behalf, receive, agree or contract for any money, gift, loan or valuable consideration, office, place or employment for himself or for any other person for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election, or for registering or agreeing to register, or for refraining or for agreeing to refrain from registering for any election, shall be guilty of a misdemeanor, and on conviction thereof, shall be sentenced to disfranchisement for a period of five years from the date of conviction.

Penalty,
disfranchisement.

296. SEC. 4. Supplemented by P. L. 1911, chap. 188, sec. 36, paragraph 425, *post*.

Penalty for
second
offense.

297. SEC. 5. Any person who, having once been convicted of a violation of any of the provisions of this act,

shall again be convicted of a violation of any of the provisions of this act, whether such conviction be for the same offense or not, shall, on such second conviction, be sentenced to disfranchisement and to pay a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding five years, or both, at the discretion of the court.

298. SEC. 6. No person shall be excused from attending and testifying, or producing any books, papers or other documents before any court on any indictment for violation of any of the provisions of this act, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to convict him of a crime or to subject him to a penalty or forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him upon any criminal proceeding or action.

Compulsory.
testimony.

Incriminating
testimony
not used
against
witness.

299. SEC. 7. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Repealer.

An Act to define the crime of bribery and to provide for the punishment thereof.

(P. L. 1906, p. 388.)

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

300. SEC. 1. Any person who shall do any act herein-after prohibited shall be deemed guilty of the crime of bribery and shall be punished therefor as hereinafter provided.

Bribery.

301. SEC. 2. No person shall give or agree to give for the purpose of promoting or procuring the election of a candidate for public office, or for the purpose of pro-

No contri-
butions or
promises.

moting or procuring the nomination of any person as a candidate for public office, any money or any valuable thing to be used for any of the purposes hereinafter enumerated.

Entertain-
ment.

(a) To provide or give or to pay, wholly or in part, the expense of giving or providing any meat, drink, entertainment or provision to or for any person for the purpose of influencing that person or any other person to give or refrain from giving his vote at any election, or on account of any such person or any other person having voted or refrained from voting.

Clubs.

(b) To provide for the payment of rent for or for the purpose of providing and fitting up any clubroom for social or recreative purposes, or providing for uniforms for any organized club.

Literature.

Provido;
paid adver-
tisements.

(c) To provide for the payment for the insertion in any newspaper or magazine of any article tending to influence any voter; provided, however, that this prohibition shall not be construed to prohibit the insertion of paid advertisements, which advertisements shall be indicated by the words "This advertisement has been paid for by" (inserting the name of the person or persons paying for the same).

Not accept
gift.

302. SEC. 3. No person shall accept any money or other valuable thing, the payment of which is prohibited by this act.

Penalty for
violations.

303. SEC. 4. Any person found guilty of bribery as hereinabove defined shall be guilty of a misdemeanor, and upon conviction thereof shall, for the first offense be disfranchised for a period of two years from the date of such conviction, and for any subsequent offense shall be perpetually disfranchised, and in addition thereto the court in which such convention is obtained may, in its discretion, in a case of a subsequent conviction, impose upon the person so convicted, the punishment now prescribed by law for a misdemeanor.

304. SEC. 5. No person called to testify in any proceedings under this act shall be liable to a criminal prosecution, either under this act or otherwise, for any matters or causes in respect to which he shall be examined, or to which his testimony shall relate, except to a prosecution for bribery committed in such testimony, nor shall any person, when called to testify in any trial for a violation of this act, be privileged to refuse to answer any questions which may be asked him, upon the ground that the same will tend to degrade or incriminate him.

Incriminating testimony not used against witness.

306. SEC. 6. Nothing in this act contained shall be construed to alter, modify, amend or repeal any statute of this State imposing any penalty for any offenses in connection with the holding of an election; *provided, however,* that this section shall not be construed to alter or modify the provisions of section five of this act.

Construction of act.

Proviso.

306. SEC. 7. This act shall take effect immediately.

Approved, May 3, 1906.

CHAPTER 34, LAWS OF 1907.

A Further Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898)," approved June fourteenth, eighteen hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Political contributions by insurance companies prohibited.

Violation a misdemeanor.

Witnesses must testify.

307. No insurance corporation or association doing business in this State shall, directly or indirectly, pay or use, or offer, consent or agree to pay or use, any money or property for or in aid of any political party, committee, organization or corporation, or for or in aid of any candidate for political office, or for nomination for such office, or for any political purpose whatsoever, or for the reimbursement or indemnification of any person for money or property so used. Any officer, director, stockholder, attorney or agent of any corporation or association which violates any of the provisions of this act, who participates in, aids, abets, or advises or consents to any such violation, and any person who solicits or knowingly receives any money or property in violation of this act, shall be guilty of a misdemeanor.

No person shall be excused from attending and testifying, or producing any books, papers or other documents, before any court or magistrate upon any investigation, proceeding or trial, for a violation of any of the provisions of this act, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate or degrade him; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be used against him upon any criminal investigation or proceeding.

308. This Act shall take effect immediately.

Approved April 10, 1907.

309. This section repealed by Chap. 19 Laws of 1915.
Section 448 *post*.

**Amendment of Apr. 27, 1911, P. L. 1911, p. 561, to
Supplement of Mch. 17, 1908, P. L. 1908, p. 30.**

310. SEC. 1. All registers or voters or registers books which are required to be filed with the county clerks of the various counties and the municipal clerks of the various municipalities of this State, by and under the above-stated act, shall be preserved by such county and municipal clerks, respectively, for a period of five years after the holding of the general election at which they were used, and thereafter shall be sold by such county and municipal clerks as waste paper, the proceeds to be paid into the county and municipal treasuries respectively.

Preservation
of registers.

(Amended by
P. L. 1911,
p. 561.)

Sale after
5 years.

311. SEC. 2. This act shall also authorize the several county and municipal clerks to sell all register books, or register of voters, which have been on file five years previous to the passage of this act, the proceeds to be paid into the county and municipal treasury respectively.

Sale of old
registers.

(Amended by
P. L. 1911,
p. 561.)

Supplement of Apr. 19, 1908. P. L. 1908, p. 412.

312. SEC. 1. In all cases where the voters of two or more municipalities of this state vote jointly for the office of chosen freeholder not less than three legal voters of any political party in each municipality may file with the clerk of their respective municipality a petition endorsing any member of their political party as a candidate for the nomination of said party to the said office of chosen freeholder, in the manner provided by the act to which this act is a supplement for the endorsing of candidates for nomination in a single ward or township. And such municipal clerk shall cause the names of all persons so nominated to be printed upon the official primary ballots of his municipality and the result of said primary election shall be transmitted to the municipal clerk, and by the municipal clerk in each of

Petition to
place names
for free-
holder on
primary
ticket.

Candidate of
party at
ensuing
election.

said municipalities to the county clerk of said county in the manner provided in the act to which this act is a supplement; and the person receiving in the aggregate the highest number of votes in the various municipalities entitled to vote for said office, shall be the candidate of his political party at the ensuing election; and the county clerk shall cause his name to be printed as such candidate upon the official ballot of his party to be used in the election districts entitled to vote for said office.

Supplement of Mar. 23, 1910. P. L. 1910, p. 55.

Acceptance
of nomination
necessary to
place name
on ballot.

313. SEC. 1. If at any primary any person is nominated as a candidate for office who before the holding of such primary had not filed a certificate consenting to stand as a candidate if so nominated, the name of such candidate shall not be printed on the official ballot unless the person so nominated as a candidate shall, within ten days after the holding of such primary, file in the office of the clerk of the county within which said primary was held a certificate stating that he is qualified for the office and accepts such nomination.

Supplement of April 1, 1910. P. L. 1910, p. 120.

Time for
filing
petition.

314. SEC. 1. All petitions providing for the nomination of candidates for public office in a single ward, * * * and all petitions endorsing the person or persons therein named for the position of delegate or delegates to the ensuing State * * * convention * * * shall be filed with the municipal clerk, * * * days prior to said primary election. (See P. L. 1911, p. 276, sec. 42, paragraph 358, *post*. P. L. 1912, 388. See paragraph 243, *ante*.)

Supplement of Apr. 4, 1910. P. L. 1910, p. 128.

Repealer.
Payment of
expenses of
special
election.

315. SEC. 1. All lawful expenses heretofore incurred within the body of the county, in special elections held throughout the State or throughout the body of any

county thereof, shall be paid by the board of chosen freeholders of such county, unless otherwise provided by law.

316. SEC. 2. If no item of appropriation was inserted in any county tax budget for the payment of such expenses, or if the item was exceeded, and such board of freeholders has no funds available for the payment of the same, then it shall be lawful for such board to place the amount of such election expenses in the tax levy; and such board may borrow, on temporary loan bonds, sufficient moneys to pay such election expenses, said bonds to be payable within one year from their date, to bear interest at not exceeding five per centum per annum, payable semi-annually, and shall be executed in the manner that bonds of such county are usually executed, and shall be sold at either public or private sale for not less than par, and the said board shall place in the tax levy next after the issuance of such bonds an item of appropriation sufficient to pay the principal and interest thereof as the same mature.

Provision
for funds.

May issue
bonds.

Supplement of Apr. 11, 1910. P. L. 1910, p. 416.

317. SEC. 1. In the event of a vacancy occurring by death, removal, resignation, or otherwise, in any office, candidates for which are required by law to be nominated by petition and voted upon at a primary election, which vacancy shall occur prior to the general election but subsequent to the day fixed by law as the last day for filing the appropriate petition, the county committee, or the city or other municipal committee where the vacancy affects only such city or other municipality, of each political party, is hereby authorized to select a candidate for the office in question and file a statement of such selection with the clerk of such municipality as the candidate, if elected, would serve or represent, and the person so selected shall be the candidate of the party at the ensuing general election; and the said selection shall be made by such committee within five days

Filing
vacancies
occurring
between last
day for
petition and
general
election.

Proviso. after the vacancy shall occur; *provided, however*, that such statement shall be filed not later than fifteen days prior to such general election; *and provided, further*, that notice of the selection as aforesaid shall be given by the municipal clerk to the county clerk.

Supplement of Apr. 19, 1911. P. L. 1911, p. 276.

Number of voters in election district.

Readjustment of district lines.

Amended, P. L. 1916, p. 210.

Future adjustments.

Proviso. Municipal clerks notified.

318. SEC. 1. No election district within this state shall contain more than four hundred voters, except in an election district wherein there may be located a home or institution wherein persons entitled to vote may reside, and in any such district the number of voters shall be as near four hundred as possible. Immediately after this act goes into effect, the governing board or body in every city, borough, town, township, village or other separate municipality, shall examine the registry list of each election district within any such city, borough, town, township, village or other separate municipality, and if it shall appear from such examination, or from other available sources of information, that there is therein any election district in which over four hundred votes were cast at the last general election, the said governing board or body shall immediately readjust the boundary lines of the election districts so that no election district shall contain over three hundred and fifty registered voters.

Whenever thereafter at any general election, in any election district, over four hundred votes shall have been cast, the said governing board or body, as aforesaid, shall again readjust the boundary lines of election districts and shall have power to consolidate any number of districts and resubdivide the same; *provided*, that in every division, change or readjustment, the geographical compactness of each district shall be maintained and the lines of such district shall not extend beyond the boundary lines of the ward in the city, borough, town, township, or village in which such district is located. It shall be the duty of the Secretary of State, within five days after the passage of this act, to send by mail to the clerk of each municipality in this State

a copy of this section of this act. It shall be the duty of said clerk to forthwith cause such copy to be laid before the said governing board or body of such municipality; and said board shall proceed to carry out the provisions of this section of this act. It shall not be lawful for such board to make division of any election district between the twentieth day of April and the day of the general election in any year; *provided, however*, that the first readjustment of election districts hereunder shall be made before the fifteenth day of May, one thousand nine hundred and eleven. The clerk of any city, borough, town, township, village or other separate municipality may make application to the justice of the Supreme Court holding the circuit court in his county, for an order directing the county clerk of such county to transmit to such municipal clerk, the registry books of any election district in his municipality, for the purpose of such redistricting, which order shall direct the time within which such registry books shall be returned to such county clerk; *provided, however*, that election districts in counties having a population of less than sixty thousand inhabitants may contain five hundred votes.

Clerk to obtain registry books from county clerk.

Proviso.

319. SEC. 2. Whenever any readjustment of the boundaries of an election district has been made, the governing board or body making such readjustment shall immediately cause a description of the boundaries of such readjusted district to be filed in the county clerk's office and a duplicate thereof in the office of the clerk of the city, borough, town, township, village, or other municipality. For the purpose of the foregoing sections the term "election district" shall be construed to mean the territory within which there is a single polling place for all voters thereon.

Readjusted boundaries filed.

"Election district" defined.

II.

320. SEC. 3. The members of the district boards of registry and election in each election district in this State shall hereafter be appointed in the manner herein after prescribed.

Appointment of election officers.

Two
members
from each
political
party,

321. SEC. 4. Two members of each board of registry and election shall be appointed from each of the two political parties which at the last preceding general election cast the largest and next largest number of votes in the state for members of the General Assembly.

County
chairman to
send list to
civil service
commission.

The chairman of each county committee of said political parties, shall, on or before the first day of June in the year one thousand nine hundred and eleven, and thereafter on the first day of May in each year, transmit in writing to the State Civil Service Commission at Trenton, a list of men of good moral character whom said chairman recommends for appointment in the several election districts in his county. In said list said chairman may recommend more than the number of men who are entitled to be appointed under this act.

Voters may
petition to
have names
placed on
eligible list.

Not less than five legal voters of this state, all of whom shall be members of one of the political parties aforesaid, and who reside in the same election district, may prepare and sign with their names, residences and post-office address, a petition addressed to the State Civil Service Commission setting forth that the signers are qualified voters of the election district in which they reside; that they are members of a political party (naming the same), and that at the last election for members of the General Assembly preceding the execution of the said petition, at which they voted, they voted for a majority of the candidates of said party for national, state and county offices, and that they intend to affiliate with said party at the ensuing election; that they endorse the person named in their petition as a candidate for member of the board of registry and election of said party for the election district in which said signers reside, that said person is a member of said party, and that they request the said State Civil Service Commission to examine the person so endorsed, and if found qualified, to place the name of said person upon the eligible list of men qualified to be appointed to said position in said election district; and said petition shall further state the residence and post-office address of the person so endorsed and shall certify that the person so endorsed is of good moral character, and is, in the judg-

Additional
facts set
forth in
petition.

ment of the petitioners, legally qualified under the laws of this state to serve as an election officer in said district, and that he has resided for the period of one year in the election district in which he is endorsed for appointment or in any territory of a readjusted district included in the new district; each of the said petitions shall be verified by the oath or affirmation of one or more of the signers thereof, taken and subscribed before a person qualified under the laws of New Jersey to administer an oath, to the effect that such petition is signed in their own proper handwriting by each of the signers thereof; that said signers are to the best of the knowledge and belief of the affiant, legal voters of the said election district as stated in said petition, and belongs to the political party named in said petition, and that said petition is prepared and filed in absolute good faith for the sole purpose of endorsing the person therein named in order to secure his appointment as election officer as stated in said petition. Said petition shall be filed with the State Civil Service Commission on or before the first day of June, one thousand nine hundred and eleven, and thereafter on or before the first day of May in each year. No voter shall endorse more than one person for a member of a board of registry and election.

When petition filed.

Accompanying said petition, each person endorsed therein shall file a certificate under oath stating that he is qualified for the position of election officer as mentioned in said petition, that he belongs to said political party and at the last election for members of the General Assembly preceding the execution of said petition, at which he voted, he voted for a majority of the candidates of the said party nominated for national, state or county officers, and he intends to affiliate with the said party at the ensuing election; that if he shall be appointed to said position, he agrees to perform the duties thereof for the term for which he shall be appointed.

Certificate of applicant as to fitness and intention.

322. SEC. 5. The said State Civil Service Commission shall hold in each county in this state a civil service examination for the purpose of passing upon the qualifica-

Examination of applicants.

Qualifica-
tions to be
considered.

tions of said applicants for the position of members of the boards of registry and election in the election district of such county before the fifteenth day of August in each year. The said commission shall give five days' notice by mail to all the applicants from each county whose applications are filed with them as aforesaid, of the time and place of holding the civil service examination in such county. The said examination shall be held for the purpose of determining that the said applicants for the said appointments shall possess the following qualifications: the ability to distinguish readily the ordinary colors, such as red, blue, black, green, white and yellow; such eyesight as will enable the applicant, with or without eyeglasses, to read nonpareil type; the ability to read the English language readily, the ability to add and subtract figures correctly; the ability to write in a legible hand with reasonable facility; a reasonable knowledge of the duties required to be performed by them as election officers under the election laws of the state; health, which would permit them to discharge their duties as such election officers; and that each applicant shall be of good moral character, and shall have resided in the election district in which he makes application to be appointed, or in any territory of a readjusted district included in the new district, for the term of at least one year, and that he is a legal voter in such district.

List of suc-
cessful appli-
cants
certified.

The Civil Service Commission shall, as a result of said examination, on or before the twentieth day of August in each year, certify to the judge or judges of the Court of Common Pleas in each county and to the county boards of elections therein, the applicants who pass such examination for members of the boards of registry and election in each county. In such certificates the Commission shall indicate to which political party the applicants belong, naming the applicants of each party in in each election district. The sum of ten thousand dollars shall be appropriated annually for the expenses of the State Civil Service Commission in carrying out the provisions of this act. The said expenses shall be paid upon requisition upon the financial officers

Appropriation.

of the State, signed by the said commission and endorsed by the Governor. Such portion of said sum of ten thousand dollars as it may not be necessary to expend for the said purpose shall be returned to the State Treasury.

323. SEC. 6 It shall be the duty of each county board of elections, from the eligible list certified as aforesaid, on or before the twenty-fifth of August in each year, to select the members of the boards of registry and election for said county in the manner following, to wit: Each name so certified shall be written on a separate piece of paper, together with the election district in which the person so named shall reside, which pieces of paper shall be separately folded so as to conceal the name and election district of each person so certified; the pieces of paper containing the names of the members of the largest political party as aforesaid shall, in the presence of such judge or judges, be put into a box for said party, and those of the next largest political party deposited in a like manner in a box to be used for that party. Before depositing the same, said slips shall be, by said judge or judges, compared with the list certified as aforesaid by said Civil Service Commission. Said pieces of paper when so folded shall be of the same size, color and shape as nearly as may be. After the said boxes shall be closed and shaken in such a manner as to intermingle the pieces of paper so placed therein, the county board of elections, or some person appointed by such judge or judges for that purpose, in the presence of the county boards of election and of said judge or judges, shall, in an open and public manner, draw out of said boxes, separately, as many names as may be necessary to provide in each election district four members of the board of registry and election, being two members from each of said political parties.

Manner of
selecting the
election
board
from the
eligible list.

Drawn
by lot.

The names so drawn as aforesaid and transcribed by the county board of elections as they are read by the persons drawing them from the box, shall constitute the election officers as aforesaid, and it shall be the duty of the county board of elections to appoint the persons

County
board of
elections to
appoint
persons
drawn to
district
boards.

so drawn as aforesaid as the members of the board of registry and election in the respective districts for which they were chosen, and to issue to each of them a proper certificate of appointment.

Proceedings
under direc-
tion of
court.

The proceedings as aforesaid shall be under the direction of the judge or judges of the court of common pleas, who shall have full power and authority to conduct such proceedings in accordance with the intent and purpose of this act and to provide for the correction of any mistakes or errors in the method of doing and performing the same.

If no appli-
cant for va-
cancy, ap-
pointment by
judge.

324. SEC. 7. If in any election district there are no applicants on the eligible list of one or both of such political parties, or if at any time, for any reason, a vacancy occurs in any district, said judge or judges of the Court of Common Pleas shall select a member for such vacancy from the voters of the proper political party in said election district, and certify the same to the said county board of elections, which shall appoint the men so certified. Such selection by said judge or judges of the court shall be made without any civil service examination, but the said judge or judges shall select said men in accordance with the intent of this act, as hereinbefore provided.

Term of
election
officers.

32. SEC. 8. The election of officers thus appointed shall hold office for the term of two years or until their successors are appointed, unless sooner removed as hereinafter provided, but the term of one of the members of the board of registry and election of each political party in each election district first appointed under this act shall be for one year or until his successor is appointed. The member whose term shall be one year shall be determined by lot by the said judge or judges of the Court of Common Pleas. Any person who has once passed the examination herein provided shall be eligible for appointment for the period of six years thereafter, without further examination; and upon his application to the Civil Service Commission, stating that he has resided for the period of one year in the election district in which he seeks appointment, or any territory that is a portion thereof in case the same has been redistricted, said commission shall cer-

Period of
eligibility.

tify his name on the eligible list to the county board of elections, and to the judge or judges aforesaid.

326. SEC. 9. Any voter who has reason to believe that said appointments have not been made in accordance with the provisions of this act, or that, for any reason, any appointee is not qualified or is ineligible, may present a petition to any judge assigned to hear cases in the Circuit Court in and for said county or to any judge of the Court of Common Pleas in said county, setting forth his reasons and praying that such judge shall make an order requiring and directing the county board of elections to cancel the appointments complained of, and to make new appointments as requested in the said petition, or as may be determined upon by said judge. Said judge, on the filing of the said petition, shall adjudicate upon the same in a summary way, upon such notice to the county board of elections, and to the person or persons whose appointments are complained of, as he may direct to be made. Upon the hearing of the said application, such judge shall take such testimony as he shall deem necessary to determine the merits of the application, and shall render such judgment as will carry out the intent, purpose and provisions of this act. Said judge shall have power after hearing, as aforesaid, to cancel the appointments of such members of the district boards of registry and elections, and to fill such vacancy from the voters of the election district wherein such vacancy so arises. Upon the filing of such new appointments with the said county board of elections, the persons therein named shall become members of the respective boards of registry and election to which they are appointed as aforesaid, for the unexpired term of the members removed, and said county board shall issue to them the proper certificate of appointment.

Right to
question ap-
pointments.

Prompt
decision.

Hearing and
determina-
tion.

Judge may
cancel ap-
pointments.

327. SEC. 10. The board or body having charge of the finances in each municipality shall provide for the expenses of carrying out this act in their municipality, except as herein otherwise provided.

Expenses met
by municipi-
palities.

Compensation of election boards.

328. SEC. 11. The compensation of each member of the boards of registry and election for all services performed by them under the provisions of this act and the act of which this act is a supplement, and the supplements to and amendments of said act, shall be as follows:

When population exceeds 10,000.

Amended, P. L. 1918, p. 79.

For each registry day other than the primary registry day, including the services in making the house-to-house canvass in municipalities having a population of less than ten thousand, eight dollars; for the primary registry day, including all services rendered in holding the primary election, except services in mailing the ballots, fifteen dollars; for mailing the primary and election sample ballots, four dollars; for all services on election day, including counting of the votes and delivery of returns and ballot-box, with contents, to the municipal clerk, fifteen dollars; for services at any special election, ten dollars; for all services in holding the primary for selection of delegates to national conventions, including the making up of the registry list and the mailing of sample ballots, fifteen dollars. The same shall be in lieu of all other fees and payments whatsoever.

III.

Delegates to national conventions chosen at primary.

329. SEC. 12. All delegates and alternates to the national convention of the political parties before mentioned in this State shall be chosen at primary elections as hereinafter provided.

Chairmen state committees to notify secretary of state of number of delegates.

Amended, P. L. 1916, p. 78.

330. SEC. 13. The chairman of the State committee of said political parties shall notify the Secretary of State, on or before the fifteenth day of March in the year in which a President of the United States is to be elected, of the number of delegates at large, and the number of alternates at large, to be elected to the next national convention of his party, by the voters of the party throughout the State; and also the number of delegates and alternates who are to be chosen to said

national convention in the respective congressional districts or other territorial subdivisions of the State, as mentioned in said notification. If the State chairman, or either of them, shall fail to file such notice, it shall be the duty of the Secretary of State to ascertain the said facts from the call for said national convention issued by the national or State committee of said party.

331. SEC. 14. The Secretary of State shall, on or before the twentieth day of March in such year, certify to the county clerk of each county in this State the number of delegates and alternates at large to be chosen by each party as aforesaid, and the number of delegates and alternates to be chosen in each congressional district or other territorial subdivision of the State composed in whole or in part of the county of such county clerk.

Secretary of state to certify number to county clerk.

Amended, P. L. 1916, p. 73.

332. SEC. 15. Not less than one hundred members of either of said political parties may file with the Secretary of State, on or before the first day of April in any year of a presidential election, a petition requesting that the name of the person therein endorsed shall be printed on the primary ticket of their political party as candidate for the position of delegate at large or alternate at large, to be chosen by the party voters throughout the State to the national convention of said party, or as a delegate or alternate to be chosen to said convention by the voters of any congressional district or other territorial subdivision of the State larger than a single county. The signers to the petition for any delegate at large or alternate at large shall be legal voters resident in the State; and the signers for any delegate or alternate from any congressional district or subdivision greater than a single county shall be voters of such district or subdivision. The Secretary of State shall, within five days, thereafter, certify to each county clerk in this State said nominations for delegates and alternates at large, and the nominations for delegate or alternate for any congressional district or other territorial subdivisions made up in part of the county of such county clerk.

One hundred voters may petition to place name on party ticket.

Secretary of state to certify such names to county clerk.

Petition to
place name
on district
ticket.

Amended,
P. L. 1916,
p. 74.

333. SEC. 16. Not less than one hundred votes of either of said political parties residents in any congressional district, or other territorial subdivision of this State, situated within a single county, entitled under the call of their party to choose delegates and alternates to the said national convention of the party, may file with the county clerk of their county on or before the first day of April in any presidential year, a petition requesting that the name of the person therein endorsed may be printed on the primary ticket of their party as a candidate for the position of delegate or alternate for said district or subdivision.

Candidates
grouped.

Form of
petition.

334. SEC. 17. Candidates for the position of delegates or alternates may be grouped together, and they also may have the name of the candidate for President whom they favor placed opposite their individual names, or opposite such groups, if they so request in their petitions, under the caption "Choice for President." The said petitions shall be as near as may be in the form now required by law in the case of petitions for the nomination of delegates to State conventions of political parties in this State.

County
clerks to
forward
names to
municipal
clerks.

Amended,
P. L. 1916,
p. 74.

335. SEC. 18. Each county clerk shall forward, on or before the eighth day of April, to the clerk of each municipality in his county a statement of the persons whose names are to be printed on the primary ticket of each party as candidates for the position of delegates and alternates, filed with or certified to him as hereinbefore provided.

Municipal
clerks to
have printed
official
primary
tickets.

336. SEC. 19. Said municipal clerk shall cause to be printed official primary tickets for each political party containing the names of the persons for whom the party voters in his municipality are entitled to vote as candidates as aforesaid for the positions of delegates and alternates to the national convention of such party. The form of said ballot shall be as near as may be the form authorized in section forty of this act.

IV.

337. SEC. 20. Each of said municipal clerks shall deliver to the clerk of each board of registry and election in his municipality, at the office of the municipal clerk, on or before Tuesday preceding the day of the primary as hereinafter provided, the poll book and the primary book made up in such election districts at the last preceding general and primary elections respectively, and the books and forms for writing down the names of voters, making out returns and the affidavits filed with him, and generally such things as such clerks are now required by law to furnish said boards for use at the annual primary election in September of each year, taking receipts therefor from said election clerk, and said election clerk shall deliver the same to the board of registry and election of which he is clerk in time for use at said primary election. On or before the day of the primary said municipal clerk shall also deliver to such board, at his office, the ballots and ballot-boxes for each party. Said municipal clerks shall also procure the places for holding the primary elections herein provided for, which shall be as near as may be the same places used for the primary and general elections held in the fall of each year.

Municipal clerks to deliver to clerks of election supplies necessary for primary.

Also ballots and boxes.

Polling places.

338. SEC. 21. Said primary elections for the choice of said delegates and alternates of both political parties shall be held on the fourth Tuesday of April in each presidential year, from one to nine P. M. Said primary elections shall be conducted by the members of the boards of registry and election, as near as may be in the manner now required by law for the conduct of the annual primary elections in September of each year; and the provisions of this act and of the act to which this act is a supplement, and of the acts amendatory thereof and supplemental thereto, shall apply as far as may be to the primary election held under this act, except as herein otherwise provided.

Primary to choose delegates to national conventions.

Amended, P. L. 1916, p. 75.

Who entitled
to vote for
delegates to
national con-
ventions.

339. SEC. 22. Every voter whose name shall appear on the poll book of the last preceding general election in the election district in which he offers to vote, or who has been registered by affidavit as hereinafter provided, shall be entitled to vote in the primary of his political party held under this act for the election of delegates and alternates to national conventions. No person shall be allowed to vote at said primary unless his name appears on said poll book, or unless he has been registered by affidavit as hereinafter provided; nor shall any voter be allowed to vote in the primary of one political party, if his name appears in the primary book of the other party as made up at the last preceding election in said election district.

Registering
by affidavit
with
municipal
clerk.

How primary
registry
made.

Sample
ballots and
envelopes
distributed.

340. SEC. 23. Any voter qualified to vote at the general election in this State, who did not vote at the general election preceding any primary election to be held under this act for the selection of delegates to national conventions, may register for said primary election, and be entitled to vote thereat, by filing with the municipal clerk of the municipality, at least ten days prior to the day of the primary an affidavit in the form now required by law for registering voters for any general election. From said poll books and affidavits, and from said primary books, the board of registry and election shall make up a primary registry list for said primary elections, with the letter "R" or the letter "D" opposite the names of those voters whose names appear in said primary books, respectively; and from said lists shall determine the right of each voter offering to vote at said primary. It shall be the duty of the municipal clerk in each municipality in the State to furnish to each board of registry and election in his municipality, at his office, on or before the Tuesday preceding said primary election for the selection of delegates to the national conventions, a sufficient number of official sample primary ballots of each party, and a sufficient number of one-cent stamped envelopes, to enable the said board to mail one copy of the sample primary ballot of each party

to each voter who has registered for said primary election; and it shall be the duty of each of said boards to prepare and deposit in the post office, on or before twelve o'clock on Wednesday preceding the said primary day, said stamped envelopes containing a copy of the sample primary ballot of each political party addressed to each voter whose name appears in the said registry list for said primary. Each of said boards shall give to the municipal clerk a receipt for said sample ballots and envelopes, signed by one of their members, and shall return to said clerk the unused sample ballots and stamped envelopes with a written statement signed by all of the members of said board, to the effect that the remainder of said sample ballots and envelopes were actually mailed or posted as provided in this act. Each of said envelopes shall have printed on the face thereof in large type the words "Sample Primary Ballot" and in small type the words "If not delivered in two days return to _____" (city or town clerk), and said returned envelopes shall be retained by the municipal clerk for thirty days open to public inspection. Said sample ballots so mailed shall not be voted.

Mailed to
each voter.

Receipts
required.

Statement
on envelopes.

341. SEC. 24. The said sample primary ballots shall be as nearly as possible a facsimile of the official ballot to be voted at the said primary election, and shall be printed on paper different in color from the official primary ballot, so that the same may be readily distinguished from the official primary ballot. The sample ballot shall have printed at the top in large type the words, "This sample ballot is an exact copy of the ballot to be used on primary day. This ballot cannot be voted."

Character of
sample pri-
mary ballot.

The clerk of the board of registry and election shall also post such sample primary ballot in the polling place and five other public places in his district.

Samples
posted.

It shall be unlawful for any election officer to accept from any voter and deposit in the ballot-box any sample primary ballot.

Not to be
voted.

Canvass and
certifications.

President shall be counted, canvassed and returned to the municipal clerk by the board of registry and elections, and shall be certified by such municipal clerk forthwith to the county clerk, who, in turn, shall forthwith certify them to the Secretary of State, and the Secretary of State shall publicly announce the vote cast for each candidate for President in each party, as shown by the said returns so filed in his office.

Announce-
ment.

In case of
declination.

In the event that any candidate for nomination, who is thus endorsed in a petition filed in the Secretary of State's office, shall on or before the sixth day of April decline in writing, filed in the office of the Secretary of State, to have his name printed upon said primary ticket, the said Secretary of State shall not certify the name of such candidate to the respective county clerks.

VI.

Who may
vote at
primary.

344. SEC. 27. No person shall be entitled to vote at any primary election held in September of each year, pursuant to the act to which this act is a supplement, and its supplements and amendments, unless his name, at the time of voting, shall appear upon the poll-books used at the preceding general election or upon the primary registry list made up as hereinafter provided; but any qualified voter may register on said primary day for the ensuing general election in the manner provided by law.

Two registry
lists when
population
exceeds
10,000.

It is the intention of this act that in cities, towns, townships, boroughs and villages exceeding ten thousand inhabitants there shall be two registry lists—a primary registry list, and a general election registry list—and that the primary registry list shall consist of the names on the poll-book of the general election of the preceding year, with the corrections and additions herein provided for, and that the general election registry list shall be made up as hereinafter provided.

Amended,
P. L. 1916,
p. 586.

345. SEC. 28. The first registry day in cities, towns, townships, boroughs and villages having a population exceeding ten thousand shall be held on the second Tuesday of September in each year, and on said day the board of registry and election, in each election district in such municipalities, shall sit at the place and during the hours as required by law, for the purpose of preparing registry lists of voters entitled to vote at the ensuing primary and general elections. The said primary registry list shall be made up by the said board as follows: the said board shall place upon the said primary registry list the names of all persons whose names appear upon the poll-book of their election district as having voted in said election district at the last preceding election. Said names shall be arranged according to streets, as now required for the general election registry list. The municipal clerks shall preserve, open to inspection, the poll-book and also the primary books used in each election district in his municipality in each year, and deliver the same at his office to the respective boards of registry and election in time for use on said registry day of the following year. Said clerks shall deliver to each of said boards in his municipality a suitable registry book for the primary registry. The said district boards of registry and election shall also place upon said primary registry list, and also upon the registry list to be prepared for use at the general election, the names of all voters who shall appear in person before said board and register upon said first registry day; and shall also place upon said primary registry lists (but not upon said general election registry list) the names of all voters presented to said board by affidavit as now required by law. Said boards shall place the letter "R" opposite such of the names on the said primary registry lists as appear also in the said Republican primary book, and shall place the letter "D" opposite such of said names as appear also in the said Democratic primary book. Whenever it shall happen, by reason of the creation of new election districts under this act, or for any other reason, that there is no copy of the poll-book of the said election district used at the general election of the previous year, or no copy of the primary book for

First registry day.

Make primary register.

Amended, P. L. 1916, p. 587.

Names to be placed on registers.

Party designation.

Procedure
when new
districts
have been
formed.

such election district, the municipal clerk shall furnish to the said board of registry and elections, on or before said first registry day, a list of names of voters in said election district who voted therein at the last previous general election, and also of those who voted therein at the last previous primary election in each party primary, which names shall be taken from the poll-book and the primary book of the election district or districts of which the new district formed a part, and from such lists said board shall make up the primary registry list as herein provided. If the poll-book of any election district has been lost or destroyed at the time of the said first registry day, then the said board in said district shall make up the primary registry list in said district from the names checked as voting on the last registry filed with the county clerk and from the names on the primary books of the two political parties of the last previous primary, together with the names of voters filed with them by affidavit, as herein provided.

In case
poll-book
missing.

Sample pri-
mary ballots
and envel-
opes
furnished.

346. SEC. 29. The municipal clerk in each municipality in this State shall furnish to each board of registry and election in his municipality, at his office, on or before Tuesday preceding the primary election in September in each year, a sufficient number of official sample primary ballots of each party, and a sufficient number of one-cent stamped envelopes, to enable the said board to mail one copy of the sample primary ballot of each party to each voter who is registered for said primary election; each of said boards shall prepare and deposit in the post-office on or before twelve o'clock noon on Wednesday preceding the said primary day, said stamped envelopes containing a copy of the sample primary ballot of each political party addressed to each voter whose name appears in the said primary registry list. Each of said boards shall give the municipal clerk a receipt for said sample ballots and envelopes, signed by one of their members, and shall return to said clerk the unused sample ballots and stamped envelopes, with a sworn statement in writing, signed by a majority of the members of said board, to the effect that the remainder of said sample ballots and envelopes were ac-

When mailed.

Receipts
required.

tually mailed or posted as provided in this act; and the members of said boards failing to file such statement shall receive no compensation for the service of mailing as aforesaid.

Each of said envelopes shall have printed on the face thereof in large type, the words, "Official Sample Primary Ballot," and in smaller type the words, "If not delivered in two days, return to....." (city or town clerk), and said returned envelopes shall be retained by the municipal clerk for thirty days, open to public inspection. Said sample ballots so mailed shall not be voted.

Words on envelopes.

The said sample ballots shall be, as nearly as possible, a facsimile of the official ballot to be voted at the said primary election, and shall be printed on paper different in color from the official ballot, so that the same may be readily distinguished from the official ballot. The sample ballot shall have printed at the top in large type the words: "This sample ballot is an exact copy of the ballot to be used on primary election day. This ballot cannot be voted."

Sample ballots similar to official ballots.

The clerk of the board of registry and election shall also post such sample ballot in the polling place in his district and five other public places therein.

Samples posted.

It shall be unlawful for any election officer to accept from any voter and deposit in the ballot-box any sample ballot.

Sample not to be voted.

VII.

When population less than 10,000 registry made by house canvass.

Amended, P. L. 1916, p. 588.

Act applicable.

Revision of register by county board.

District boards notified of changes.

Dissatisfied voter may apply to court.

347. SEC. 30. The board of registry and election in each election district in municipalities containing ten thousand inhabitants or less shall first meet on the said registry day on the second Tuesday in September, and shall make up the registry by a house-to-house canvass as now provided by law, and said board shall, on the primary day hereinafter fixed, use as a registry list for the said primary the registry list for the general election which the said boards are now required by law to prepare, and each of said boards shall cause the said registry list to be made up and open to inspection ten days prior to said primary day. Said list shall contain the letters "R" and "D" to be inserted therein in manner and form as hereinbefore provided.

The provisions of the act to which this act is a supplement and its amendments and supplements, applying to municipalities containing less than thirty thousand inhabitants, shall hereafter apply only to municipalities containing ten thousand inhabitants or less, except as in this act otherwise provided.

348. SEC. 31. The county board of elections shall sit on the Friday succeeding the first registry day, as hereinafter defined, for the purpose of revising and correcting the said primary registry list. The said county board shall have the power to strike off the said primary registry list the names of all persons who shall be shown by evidence satisfactory to the said board, not to be qualified to vote at the said ensuing primary election. The county board of elections shall transmit to the respective district boards of registry and election a certificate or certificates showing the corrections made by them, as hereinbefore provided, in time for use upon the ensuing registry and primary day. Any voter who is dissatisfied with the action of the said county board of elections may apply to a judge of the Court of Common Pleas in the said county by petition, stating the act complained of, and said judge may hear

such application in a summary way, and make such order as may be just, which order shall be binding upon said county and district boards of elections.

349. SEC. 32. The second registry day in all municipalities in this State shall be held upon the fourth Tuesday of September in each year, and upon said registry day the district boards of registry and election, in each election district in the State, shall conduct the primary elections as provided by law from seven o'clock A. M. to nine o'clock P. M. Each voter offering to vote shall announce his name and the party primary in which he wishes to vote. The board of registry and election shall thereupon ascertain by reference to the primary registry book required by this act, and if necessary by reference to the primary book or poll book of the preceding primary or general election, that said voter is registered as required by this act, and also that he did not vote in the primary of the other political party at the last preceding primary election; in which event he shall be allowed to vote; but no voter shall be allowed to vote at said primary unless his name appears on the poll book of the previous general election, or has been placed on said registry list prior to said primary day as hereinabove provided; and no person shown by said primary registry list, verified, when requested by the voter, by reference to the preceding primary book, to have voted in the primary of one political party at the last preceding primary election, shall be allowed to vote in the primary of the other political party. In case a voter is challenged, he shall take an oath or affirmation, to be administered by a member of the board, in the following form: "You do solemnly swear (or affirm) that you are a member of the..... political party (specifying the political party to which the affiant claims to belong); that at the last election for members of the General Assembly at which you voted you voted for a majority of the candidates of said party nominated for national, state and county offices, and that you intend to support the candidates of said party at the ensuing election." Each board of registry

Second registry and primary election day.

Manner of voting.

Oath of challenged.

Transfer
certificates.

and election in each election district, in issuing transfer certificates to voters who formerly lived in their districts, but who have between the last general election and the said day of the holding of said primary removed to some other district, shall be governed by the provisions of this act in relation to transfers for the general election. Any voter not registered, or not wishing to vote at the primary, may register for the ensuing general election, but every voter voting at the primary shall register for the ensuing general election in the manner provided by this act.

May register
at primary
for general
election.

Separate
registers for
general
election.

350. SEC. 33. The primary registry lists made up as hereinbefore provided shall be used only for the primary election, and each district board of registry and election shall make up the registry list for the general election in the manner provided by law, except that the first two days of registry shall be as herein provided. The primary elections shall be held as provided by law, except as herein provided.

Sections
of law
applicable.

351. SEC. 34. Sections thirty-three (33) and thirty-four (34) of the act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight, shall apply, so far as may be, to the registration and primary elections held pursuant to this act.

VIII.

Endorsed
candidates
may request
party
designation.

352. SEC. 35. Any person endorsed as a candidate for nomination for any public office, whose name is to be voted for on the primary ticket of any political party, may by endorsement on the petition of nomination in which he is endorsed, request that the said clerk shall print opposite his name on said primary ticket a designation, in not more than six words, as named by him in said petition, for the purpose of indicating either any official act or policy to which he is pledged or committed, or to distinguish him as belonging to a particular faction or wing of his political party. On the fil-

ing of any such petition, the said clerk shall cause the said designation to be printed opposite the name of the said person upon the primary ticket. If several candidates for nomination to the same office shall in said petitions request that their names be grouped together, and that the common designation to be named by them shall be printed opposite their said names, the said clerk shall group the names of the said persons in a bracket and opposite the said bracket shall print the said designation as aforesaid. If two candidates or groups shall select the same designation, the municipal clerk shall notify the candidate or group whose petition was last filed, and said candidate or group shall select a new designation.

Grouped
candidates.

New name if
duplicate
selection
made

Section 36, Repealed by Chapter 19, Laws of 1915.

(See Section 448, *post.*)

IX.

353. SEC. 37. All candidates of political parties, as defined in the act to which this act is a supplement, for the office of Governor, United States Senator or member of the House of Representatives in this State, shall be nominated directly without the intervention of delegates or conventions at the primary elections held in September pursuant to the act to which this act is a supplement and the acts amendatory thereof and supplementary thereto. Not less than one thousand voters of any political party may file with the Secretary of State of New Jersey a petition endorsing any member of their political party as a candidate for nomination of said party to the office of Governor, or United States Senator, and requesting that the name of the person so endorsed be printed upon the official ballot of said party.

Direct nomi-
nations.

Petition to
place names
on primary
tickets.

Not less than two hundred voters of any political party in any congressional district in this State comprising more than one county, may file with the Secretary of State a petition or petitions endorsing any member of their political party as a candidate for the

Placing name
for Congress
on ticket.

[Amended,
P. L. 1915,
p. 506.]

nomination of said party to the position of member of the House or Representatives in said congressional district, and requesting that the name of the person so endorsed be printed upon the official primary ballot of such political party.

Form of
petition.

May be
several
petitions.

Proviso.

Proviso.

Filed with
secretary of
state and
certified to
county clerks.

[Amended,
P. L. 1915,
p. 507.]

354. SEC. 38. Said petitions shall be signed in the manner and form provided for the signing and filing of nomination petitions in the act to which this act is a supplement, and its supplements and amendments, and to said petitions, or one of them, there shall be attached the acceptance of the person endorsed as required by said act. Not all of the names of petitioners need be signed to a single petition, but any number of petitions of the same purport may be filed; *provided*, in the aggregate the signatures thereto endorsing any one person shall be the number required by this act; *and provided*, that to each petition there shall be annexed the affidavit of at least one of the signers thereto, to the effect that the said petition was signed in their own proper handwriting by all of the signers thereof. Said petition or petitioners shall be filed with the Secretary of State at least thirty days prior to the time fixed by law for the holding of such primary election. The Secretary of State shall certify the names of the persons so endorsed as candidates to the county clerks in the counties comprising said congressional district at least twenty-five days prior to the holding of said primary election.

If congressional district
in one county.

County clerk
to certify to
municipal
clerks.

A. Not less than two hundred voters of any political party in any congressional district laid out wholly within a single county, may file with the clerk of said county a petition or petitions for congressional nominations made out as hereinbefore provided, twenty-five days prior to the primary election. The county clerk in each county shall certify all of the names endorsed for the office of Governor, United States Senator, and of member of the House of Representatives, filed with him pursuant to this act, to the clerk of each municipality in his county at least twenty days prior

prior to the time fixed by law for the holding of said primary election, specifying in said certificate the political party to which the person or persons so endorsed belong, and said municipal clerks shall each respectively cause to be printed upon the respective primary ballots for each political party, under the name of "Candidates for Governor," "Candidates for United States Senator" or "Candidates for Congress," the names of the persons so endorsed for said offices, respectively, in addition to the other names to be printed thereon as required by law.

Names
endorsed
printed
on ticket.

B. The signers to said petitions endorsing candidates for Governor, United States Senator or member of the House of Representatives may name three men in their petition as a committee on vacancies, which committee shall have power in case of death of the person endorsed as a candidate in said petition to file with the Secretary of State, or county clerk (as the case may be) not less than fifteen days prior to the primaries, a new petition endorsing a person in the place of the one so dying, which name shall forthwith be certified to the appropriate municipal clerk.

Committee to
fill vacancies.

355. SEC. 39. The party voters in each primary shall indicate their choice for the candidates for said offices in the manner provided by law, and the board of registry and election in each election district, in every county in this State, shall canvass the results of the said primary election as to the nominations provided for in this act in the manner provided by law, and shall include the results of such primary election as to the said candidates in the statements which they are now required by law to transmit to the municipal clerk, and the said municipal clerk shall forthwith transmit the said results to the county clerk.

Voters to
indicate
choice.

[Amended,
P. L. 1915,
p. 568.]

Results in-
cluded in
statement.

A. Where the congressional district is wholly within the limits of a single county, the county clerk shall canvass the returns as transmitted to him by the various municipal clerks of his county, and the person having

Nominations
for party.

Results certified to secretary of state.

Results canvassed.

Party candidates for Governor or U. S. Senator.

Representative,

Names certified to county clerks.

Names on official ballots.

in the aggregate the highest number of votes for nomination for the office of member of the House of Representatives in the congressional district or districts comprised within said county, shall be the candidate of his respective party for the said office. Each county clerk shall certify to the Secretary of State the results of said primary elections as to the office of Governor and United States Senator. Each county clerk of a county which forms a part of a congressional district larger than a single county shall certify to the Secretary of State the results of said primary elections as to the office of member of the House of Representatives in his county; and the Secretary of State shall forthwith canvass the results so certified by the said county clerks as to the office of Governor, United States Senator and of member of the House of Representatives in each of such congressional districts, and the person receiving the highest number of votes for Governor or United States Senator, in each party throughout the state as shown by said returns, shall be the party candidate for Governor or United States Senator, as the case may be, at the ensuing general election; and the person receiving the highest number of votes within each congressional district shall be the candidate of his political party for the office of member of the House of Representatives from such district at the ensuing general election; and the Secretary of State shall forthwith certify the names of the persons so ascertained to have been nominated for Governor and United States Senator as aforesaid, to the county clerk of each county. He shall also certify to each county clerk of a county which forms part of a congressional district the name of the person so ascertained to have been nominated as member of the House of Representatives for the district of which said county forms a part. The said county clerks shall cause the names of the persons ascertained as aforesaid to be the party candidates for the office of Governor, United States Senator and of member of the House of Representatives to be printed upon the official ballots at the ensuing election as the candidate for said office, under appropriate headings.

B. In the event of a failure to select any candidate for Governor, United States Senator or for member of the House of Representatives by reason of two or more persons receiving the highest and the same number of votes the chairman of the State committee of the said political party shall select one of the said candidates to be the candidate of the party for the said office, and shall file a certificate to that effect with the Secretary of State, or the appropriate county clerk, and the person so selected shall be the party candidate for the said office, and the Secretary of State, when such certificate shall have been filed with him, shall forthwith certify the names of the persons so ascertained to have been nominated as aforesaid to the county clerk of each county, who shall cause such name to be printed as aforesaid on the official ballots.

In case of
the vote.

X.

356. SEC. 40. The ballots to be used at primary elections held pursuant to this act and to the act to which this act is a supplement, and the supplements to and amendments of said act, shall be made up and printed substantially in the following form :

Form of pri-
mary ballot.

Each ballot shall have at the top thereof a coupon at least two inches square extending above a perforated line. The coupon shall be numbered for each of said political parties, respectively, from one consecutively to the number of ballots delivered and received by the election officers of the respective polling places. Upon the coupon and above the perforated line shall be the words "To be torn off by the judge of election. Fold to this line." Below the perforated line shall be printed the words "Democratic Primary Ticket," or "Republican Primary Ticket," or, as the case may be, naming the proper political party, as provided in this act; next there shall be printed the name of the municipality and number of the ward and election district in which the ballot is to be voted, and the date of the primary elec-

Coupon.

[Amended,
P. L. 1912,
p. 665,
chap. 371.]

Certain
printed
directions.

Names arranged alphabetically.

Groups separated.

tion and the name of the municipal clerk, which name shall be a facsimile of the signature of the said clerk. Next shall be printed directions instructing the voter how to indicate his choice for each office or position, and for how many persons to vote, as for instance, "Mark a cross X in the square at the left of the name of the person for whom you wish to vote, "Vote for one," "Vote for two," or a greater number, as the case may be. The names of all candidates for the same office shall be printed in alphabetical order under the several designations of the office to be voted for, unless grouped as provided in section thirty-five of this act. A single light-faced rule shall be used to separate the different names in each group of candidates. A heavy-faced rule shall be used between each group of candidates for different offices. The designation named by candidates in their petitions for nomination, as provided by law, shall be printed in a second column in as large type as the space will allow. At the left and opposite the name of each candidate for office, or for the position of delegate, shall be printed a square, at least one-quarter of an inch square, in which the voter is to indicate his choice. The following is an illustration of the said form of ballot:

To be torn off by the Judge of Election.

No. 75.

Fold to this line.

Democratic Primary Ticket.
City of Newark. Ward No. 5. Election District No.
4. September 22, 1909. John Doe, City Clerk.

Mark a cross X in the square at the left of
the name of the person for whom you wish to
vote.

	<i>For Governor.</i>	<i>Vote for one.</i>
<input type="checkbox"/>	THOMAS JONES.	
<input type="checkbox"/>	JACOB SMITH.	
<input type="checkbox"/>	HENRY STONE.	

	<i>For Mayor.</i>	<i>Vote for one.</i>
<input type="checkbox"/>	EDWARD HALL.	<i>for Commission Charter.</i>
<input type="checkbox"/>	GEORGE JACKSON.	<i>Cleveland Democrat.</i>
<input type="checkbox"/>	PETER RANDALL.	

	<i>For United States Senator.</i>	<i>Vote for one.</i>
<input type="checkbox"/>	CHARLES BLACKSTONE.	
<input type="checkbox"/>	WILLIAM KENT.	

using so much of said form as may be applicable to the
current primary election and extending the same to pro-
vide for cases not therein specified, and a like ballot
shall be printed for all other political parties. There
shall be no endorsement upon the back of any ballot.

Official ballots confined to polling place.

The distribution and use of official ballots at any primary election shall be confined exclusively to the polling room, as in this act directed. The board of registry and election shall hand to each voter the ballot he is entitled to cast. Should any voter to whom an official ballot has been handed spoil or render the same unfit for use, he shall return the one so spoiled or unfit for use and obtain another from the board of registry and election, but no more than two official ballots shall be furnished to any voter, except at the discretion of said board. See Section 377 *post* as to preparation of ballot by voter.)

As to marking ballots.

357. SEC. 41. At the said primary election each voter shall indicate his choice for the candidates for nomination, by making a mark in the square opposite the name of the candidate for whom he wishes to vote for each office or position, to the extent of the number of candidates to be nominated for said office or position. If a voter marks his ballot for more candidates for any office or position than are to be selected therefor, said ballot shall not be void as to the candidate for any other office or position for which it is properly marked. The method of voting shall be that hereinafter provided for the general election, so far as may be, but the primary registry list shall be used instead of the poll-book and the number of the ballot given to each voter shall be marked in front of his name on the primary list. The board of registry and election shall preserve all primary ballots returned by a voter as spoiled or unfit for use, and said board shall keep a record of all such ballots, and shall place them on the string with the coupons. Said coupons and all spoiled and unused ballots shall be placed inside the ballot-boxes and delivered with the ballot-boxes to the municipal clerk.

Method of voting at primary.

Unused or spoiled primary ballots.

Canvassing.

The said ballots shall be canvassed, counted and returned as provided by law, except as in this act otherwise provided.

Filing names to be placed on primary ballots in single municipality.

358. SEC. 42. All petitions endorsing candidates for nominations on the primary ticket of any party to be voted for within a single municipality must be filed with the proper municipal clerk twenty days before the day

of the primary ; and it shall be the duty of such clerk to forthwith notify any candidate so endorsed, whose petition for nomination is defective, setting forth the nature of such defect, and the date when the ballots will be printed, and such candidate shall be permitted to amend such petition either in form or in substance, so as to remedy such defect, at any time prior to the printing of such ballots.

XI.

359. SEC. 43. In cities, towns, townships, boroughs, and villages exceeding ten thousand inhabitants, no person shall be allowed to vote at any general election unless he shall first have registered personally or by affidavit as required by this act. No registration by affidavit for the general election, except as hereinafter provided shall hereafter be allowed in such municipalities, and the third registering day therein shall be on Tuesday two weeks next preceding the general election.

Personal registration in municipalities over 10,000.

[Amended, P. S. 1916, p. 589.]

Third registry day. Arrangement of registry book.

360. SEC. 44. In all cities, towns, townships, boroughs and villages containing a population exceeding ten thousand, the registry list or book shall be arranged in columns, and the leaves thereof shall be indexed from A to Z. In the first column of such register there shall be entered, at the time of the completion of the registration on the last day of registration, a number opposite the name of each person so enrolled, beginning with "one" opposite the first name entered in the page index A, and continuing in numerical order to and including the last name entered upon the last page of such register. On each day of registration there shall be entered in the second column thereof the surname of such persons in the alphabetical order of the first letter thereof, on the page bearing the index letter of such surname, and in the third column the Christian name or names of such persons, respectively. In the fourth column shall be entered the residence number or other designation, and in the fifth column the name of the street or avenue of such residence, or a brief description of the locality

Entry of names; details as to residence, age, employment, etc.

[Amended, P. L. 1916, p. 589.]

thereof. In the sixth column shall be entered the number of the floor or room occupied by the voter at the residence given by him, and in the seventh column shall be entered the full name of the householder, tenant, subtenant or apartment-lessee with whom the voter resides, and in the eighth column shall be entered the fact that he is over twenty-one years of age, in the ninth shall be entered his length of residence by years in this State, and in the tenth column shall be entered the country of his nativity, which shall mean the country, State or province of the voter's birth, irrespective of his former political allegiance. In the eleventh column shall be entered the name of the municipality from which such person last registered or voted. In the twelfth column shall be entered, if the voter is in business for himself or with others, the name under which he is so in business, or if the voter is employed by some other person, the name of his present employer. If he is not in business and has no employment, the word "none" shall be entered, together with the name under which he was last in business or the name of his last employer, if any. In the thirteenth column shall be entered the street and number, or if it has no street number, a brief description of the location of the place, if any, where he is so in business or employed, or, if unemployed, the place, if any, where he was last in business or employed. The fourteenth column shall be reserved for the signature of the voter at the time of registration, or in case the voter alleges his inability to write, for entering therein the number of the "identification statement," made by such voter as hereinafter provided, or, if the voter has registered by affidavit, for the entry and number of such affidavit as hereinafter required in such case. Above each horizontal line in the said fourteenth column shall be printed the words "the foregoing statements are true," and the voter shall, at the time of registration (unless he register by affidavit as hereinafter provided), sign his own name by his own hand and without assistance, using an indelible pencil or ink, below such words on the horizontal line in a register of voters, which register shall be known as the "signature copy." Said signature copy shall be other than public copy, and shall be

Signature.

Identification
statement.

used at the polls on election day. If the voter alleges his inability to sign his name, one of the members of the board of registry and election, in addition to taking down the information required to be written in the "signature copy" of the registry book, shall read to the voter the following list of questions from a book to be furnished said boards, and to be known as "identification statements for registry day," and said member shall write down in said book the answers of the voter to the following questions: What is or was your father's full name? What is or was your mother's full name? Are you married or single? Where did you actually reside immediately prior to taking up your present residence; state floor and character of premises? At the bottom of each list of questions shall be printed the following statement: "I certify that I have read to the above-named electors each of the foregoing questions, and that I have truly recorded his answers as above to each of said questions"; and said member who has made the above record shall forthwith sign his name to said certificate and date the same. The above questions shall be printed on separate sheets of paper, which shall be furnished said board bound together in book form, and numbered consecutively, and the number corresponding to the number on each sheet containing said list of questions shall be entered, when the questions have been answered, in the fourteenth column, in the register of voters in which the voters registering have signed their names. Said book of "identification statements for registry day" shall be kept at all times with the register in which the voters sign their names as hereinbefore provided. The registration books as provided in this section, together with a sufficient number of identification statements bound in book form, and the poll-books as herein provided, and the forms of affidavit hereinafter mentioned for persons unable to register personally, shall be provided by the Secretary of State at the expense of the State, and shall be furnished to each board of registry and election in the same manner as the poll-books are now furnished to said boards, except that the lines in the registers and poll-books provided for in this section shall be one-half

Signature
copy.

If unable to
write, state-
ment to be
prepared.

Identifica-
tion
statement
book.

Poll books,
etc., provided
by secretary
of state.

inch apart and each page of said registers and poll-books shall in each case be consecutively numbered.

Any voter who is unable by reason of illness or absence from the State to register personally may make and sign an affidavit, on a form to be procured from a board of registry and election, containing a statement of the reasons for his inability to register in person, and also the same statements which a voter registering personally, is required to make as hereinbefore provided. Said affidavit shall be taken before some person legally authorized to take affidavits, and if taken outside of this State, shall be accompanied by a proper certificate, showing the authority of the person administering the oath to take affidavits. Such affidavits shall be filed with the board of registry and election of the district in which such voter is entitled to vote, on or before the last registry day, and such board of registry and election shall, on or before the last registry day endorse upon said affidavit the number thereof, giving it a number in the order of its receipt by said board, and shall thereupon enter the name of such voter on the registry list or book for the ensuing general election, together with the statements, as contained in said affidavit, which the voter would be required to make if registering personally, and shall enter in the fourteenth column of said registry list or book, instead of the signature of such voter, the words, "affidavit No. ," giving the number endorsed on said affidavit. All such affidavits shall be kept by said board of registry and election and used on election day as hereinafter provided, and after election shall be placed by said board inside the ballot-boxes and returned to the municipal clerk therewith. Any person swearing falsely in any such affidavit shall be guilty of perjury and incur the penalty thereof.

Complete
registry list
furnished
county clerk.

361. SEC. 45. Immediately after the close of the last day of registration in said municipalities exceeding ten thousand inhabitants the said board of registry and election in each election district shall make and complete one list of all persons registered in their district in the numerical order of the street numbers thereof, which

shall be signed and be certified by said board, and delivered forthwith to the county clerk. Said list shall be in the following form:

Grand Street.

*Residence number
or other designation.*

14

15

Name of Voter.

Smith, John M.

Jones, Charles M.

Form
of list.

The county clerk shall forthwith cause copies of said registry lists to be printed in hand-bill form, and shall furnish printed copies thereof to the respective boards of registry and election, who shall publicly expose the same for inspection as now required by law. Said county clerk shall forthwith deliver to the chief of police of each of said municipalities not less than five copies of the lists of voters of each election district in such municipalities, who shall cause an investigation to be made of the names of the persons so appearing on said lists, to ascertain if the said persons are residents of the houses from which they are registered, and shall forthwith forward the various reports of such investigation to the county board of elections, where they shall be kept open to public inspection, and who shall make use of the same in revising and correcting the registry, as now required by law. Said county clerk shall also furnish to any voter applying for the same copies of said registry lists, charging therefor, as nearly as may be, the cost of printing the same.

List printed
and supplied
boards of
election.

Police fur-
nished list;
to investi-
gate.

[Amended,
P. L. 1916,
p. 593.]

Police
report.

List fur-
nished on
payment.

362. SEC. 46. The signature copy of the registry list or book shall be kept by the board of registry and election in such election district, and used on election day as hereinafter provided. In all election districts in cities, towns, townships, boroughs and villages containing a population exceeding ten thousand, each board of registry and election shall have a poll-book for keeping the list of voters voting or offering to vote thereat at the election. Such book shall have six columns headed respectively: "Number of voter," "names of voters,"

Poll-book.

Action prior
to voting.

[Amended,
P. L. 1916,
p. 563.]

"residence of voters," "signature or statement number of voter," "signatures compared" and "remarks." Previous to each delivery of an official ballot by the ballot clerk to a voter, the member of the board having charge of the poll-book shall enter therein the appropriate column the number of the voter, in the successive order of the delivery of ballots to voters, the names of the voter in the alphabetical order of the first letter of his surname, his residence by street and number, or if he has no street or number, a brief description of the locality thereof. The column headed "signature or statement number of voter" shall have printed above each horizontal line the words "the foregoing statements are true," and the voter shall, previous to the receipt of an official ballot, sign his name by his own hand and without assistance, using an indelible pencil or ink, below the said words in the poll-book.

Sign name.

Signatures
compared.

After the voter shall have so signed, and before an official ballot shall be given to him, one of the members of the board of registry and election shall compare the signature made in the poll-book with the signature theretofore made by the voter in the registration book on registration day, or if the voter has registered by affidavit in the manner provided by section forty-four of this act, with the signature made by the voter on such affidavit, and if said signature is the same, or sufficiently similar to the signature written on registration day, or in such affidavit as the case may be, as to identify it is being written by the same person who wrote the signature on registration day, or on such affidavit, said member shall thereupon certify that fact by writing his initials after such signature in the column headed "signatures compared."

Procedure if
voter cannot
sign name.

363. SEC. 47. If the voter on election day alleges his inability to so sign his name, then one of the members of the board of registry and election shall read the same list of questions to the voter as were required on registration day, both in the "signature copy" of the registry and in the "identification statements for registry day," from a book containing said questions to be provided

for election day, and to be known as "identification statements for election day," and said member shall write the answers of the voter thereto. Each of these statements shall be numbered, and a number corresponding to the number on the statements sheet shall be entered in the fourth column opposite the name of the said voter answering the questions. Each statement shall contain the same questions as the voter was required to answer on registry day. The questions answered on registration day shall not be turned to or inspected until all the answers to said questions shall have been written down on election day by said member of the board. Any person who shall prompt a voter in answering any question provided in this section shall be guilty of a misdemeanor.

At the bottom of each list of questions shall be printed the following statement: "I certify that I have read to the above-named voter each of the foregoing questions and that I have duly recorded his answers as above to each of said questions," and said member of the board who has made the above record shall sign his name to said certificate and date the same, and note the time of day of making such record.

Statement at
bottom of
questions.

364. SEC. 48. The comparison of signatures of a voter made on registration and election days, and a comparison of the answers made by a voter on registration and election days, or if the voter is registered by affidavit, then the comparison of his signature and answers on election day with his signature and statements in his affidavit, shall be had in full view of the watchers, challengers or agents, and the right to challenge voters shall exist until the ballot shall have been deposited in the ballot-box. If the signatures of the voters or the answers to the questions made by the voter do not correspond, then it shall be the privilege of the watchers and challengers to challenge, and the duty of each member of the board of registry and elections to challenge, unless some other authorized person shall challenge.

Comparisons
and answers
made only.

If disagree-
ment, a
challenge.

Procedure
in case of
challenge.

365. SEC. 49. In case a voter is challenged, the board shall ask him the questions which they asked him on registration day, the answers to which appear on the signature copy of the registry book if he has registered in person, and if he has registered by affidavit, said board shall ask him the same questions as are by this act required to be asked of a voter who has registered personally, and if the answers do not correspond a note of said fact shall be entered in the column of the poll-book entitled "remarks." The said board shall determine the right of such voter to vote, after making use of, and giving due weight to, the evidence afforded by his signature, if any, and the said answers.

May swear
in vote.

If a majority of the board shall decide against receiving such vote and the voter shall then take the oath or affirmation now provided by law, the said board shall thereupon receive his vote. It shall then be the duty of such board of registry and election upon demand of a member of the board of any other citizen, to forthwith issue a warrant for the arrest of such voter and deliver the same to a peace officer, who shall forthwith arrest such voter.

Subject to
arrest.

Identification
statements
furnished by
secretary
of state.

[Amended,
P. L. 1916,
p. 594.]

366. SEC. 50. The Secretary of State, at least thirty days prior to time when the are needed for use, shall furnish to the county clerk of each county having one or more municipalities of over ten thousand inhabitants for each board of registry and elections in such municipalities a sufficient number of said "identification statements for election day," containing the questions hereinbefore referred to, and the certificate herein required to be signed at the bottom thereof, stitched or bound in book form, and the proper books and lists to carry out the provisions of this act concerning the registry of voters for the general election, and the expense thereof shall be paid by the State; and the county clerk shall deliver the same to the proper boards of registry and election in time for use at the registry and at the general election, respectively.

367. SEC. 51. It shall not be lawful for any district board of registry and election in any city, town, townships, borough or village exceeding ten thousand inhabitants in the State to execute or deliver to any voter any paper in the nature of a transfer, purporting to authorize the said voter to vote in any other election district than that which he is registered, as now provided by law, except when authorized by the court as hereinafter provided.

No transfer except authorized by court.

[Amended, P. L. 1916, p. 595.]

368. SEC. 52. No person shall vote at any general election in any election district other than the one in which he is registered, unless he shall appear before either the justice of the Supreme Court holding the Circuit Court in said county, or one of the judges of the Court of Common Pleas of said country, or one of the judges assigned to hold the Circuit Court of said county, at the court house, or at such other place within said county as will be most convenient and accessible to the largest number of voters in said county, on or prior to the day of the general election, and shall make proof to the satisfaction of said justice or judge that he has moved from the election district in which he has registered since the day on which he did register, and that he has moved into another district in said county, and shall obtain from said justice or judge an order sealed with the seal of the county clerk, directing the board of registry and election to place the name of the said voter upon the registry of the said election district; said order shall be shown to the board of registry and election in which said voter is registered and said board shall thereupon erase his name from said register and issue a transfer as now provided by law, which transfer and the order of the court shall be filed by the voter with the board of registry and election in the election district where said voter desires to vote, and said board shall obey said order.

Procedure to secure transfer.

[Amended, P. L. 1915, p. 515.]

Action of election board

On at least one day, either election day or prior thereto, said justice or judge shall sit for the purpose set forth in section one of this act, in a convenient and accessible place in the largest city located within such

Court to sit for purpose of issuing transfers.

county. The justice or judge presiding shall cause an advertisement to be inserted in at least two newspapers published in such county at least ten days before sitting for the purpose set forth in this act, setting forth the time and place said justice or judge will sit for the before mentioned purpose.

XII.

Blanket-
ballot; all
names of
candidates
thereon.

[Amended,
P. L. 1916,
p. 155.]

Proviso.

369. SEC. 53. At the general election in the fall of each year, instead of separate printed ballots for each political party or group of petitioners, having candidates to be voted for at such election, there shall be a single or blanket form of ballot, upon which shall be printed all the names of all the candidates of every party or group of petitioners having candidates to be voted for at said election; *provided, however*, that any person whose name was printed upon the official ballot of any party, at the preceding primary who failed of nomination, shall not be eligible to have his name printed on the official ballot for said general election by petition.

Arrangement
of names.

Party
indicated.

If candidate
represents
more than
one party.

370. SEC. 54. The names of candidates for the office of representative in congress and for every state, county and municipal office, except the names for presidential electors, shall be arranged under the designation of the office in alphabetical order, according to the surnames. Blank spaces or line shall be left at the end of the list of candidates for each different office equal to the number of persons to be elected to said office. Following the name of each candidate upon the same line upon the ballot shall be printed the name of the political party or group of petitioners making the nomination. Any candidate receiving the nomination of more than one political party or group of petitioners may, within five days after the time for making nominations expires, file with the public official charged with the duty of printing the ballots a notice directing such official in what order the several nominations shall be

added to his name upon the official ballot, and said directions shall be followed by the said officer. If such candidate shall fail to make such directions as aforesaid, then said officer shall add said nominations or political designations to the name of such candidate in such order as said officer shall determine. On the same line, and to the left of the name of each candidate there shall be provided a square, or space not less than one-quarter of an inch square, in which the voter may designate by a cross his choice of said candidates. Upon the said ballot shall be printed such directions as will aid the voter, as, for example: "Mark a cross X in the square at the left of the name of the person for whom you desire to vote," "Vote for one," "Vote for two," and the like.

Designation
square.

371. SEC. 55. The names of candidates for presidential electors shall be arranged in groups as presented in the several certificates of nominations or petitions. Said groups shall be arranged in the order of the congressional districts in which the elector resides.

Presidential
electors
grouped.

The surnames of the candidates of each political party for the offices of President and Vice-President, with the political designation thereof at the right of the surnames, shall be placed in one line above the group of candidates of such party for electors. A sufficient square, not less than three-eighths of an inch square, in which the voter may designate by a cross his choice for electors shall be provided at the left of the surnames of the candidates for President and Vice-President.

Surnames
and party
printed above
electors.

The names of candidates for any office for which more than one are to be elected shall be arranged in groups as presented in the several certificates of nominations or petitions; *provided, however*, that any candidate receiving the nominations of more than one political party or group of petitioners may file with the public official charged with the duty of printing the ballots, a notice directing the said official in what group of candidates he desires his name to appear; and *provided*, that such candidate's name shall appear but once and shall not appear as a nominee of a party, or group of petitioners, except such party or group of petitioners

Names
grouped.

Proviso.

Proviso.

Proviso. as have nominated him; and provided, that said notice be filed within five days after the time for filing nominations expires. The names in each group shall be arranged in alphabetical order of the surnames, and the groups shall be arranged in like manner in the alphabetical order of the surnames at the head of each group.

Official ballots. 372. SEC. 56. The official ballot shall be furnished at the election places as now provided by law. There shall be furnished to each board of registry and election twice as many official ballots for use of the voters in the polling places on election day as there are voters registered in said election district. The names of all candidates shall be printed in capital letters in ten-point type, and the designation with capital and small letters of the same type; except that where there is more than one designation to a candidate the type may be smaller. If in case a candidate's name and party designation printed in full in ten-point type will over-run the space of three and three-quarters inches as provided in this section, the party designation may be abbreviated.

Quantity.

Style of type.

Type for names of electors. The names of the presidential electors shall be printed in ten (10) point type and the space between each name shall not exceed one-eighth of an inch, and if said names occupy more space than one line, the space between the lines shall not exceed one-eighth of an inch. In front and against the space or square, which the voter uses to indicate his choice of candidates, extending the length of each column shall be a full-face border not less than a quarter of an inch in width. A single light-face rule shall be used to separate the members of each group of candidates, except presidential electors, each group of presidential electors, surnames of candidates for President and Vice-President of the United States and their party designations shall be separated by a heavy-faced rule into parties.

Border and rules.

A heavy-faced rule shall be used between each group of candidates for different offices. Each line upon which the name of the candidate and his political designation is printed shall be three and three-quarters inches in length, including the square for marking. The margin

or border of the paper outside of the printing on the ballot shall not exceed one-half inch. The names on said ballot shall be arranged so that said ballot may be as nearly as possible square in form.

The space or square in which the voter places cross X to indicate his choice of candidates shall be an independent space or square printed from heavy-faced rule and shall be independent of all other rule or lines on the ballot.

373. SEC. 57. Each ballot shall have at the top thereof a perforated coupon the width of the ballot above the perforated line. The coupon shall be numbered from one consecutively to the number of ballots delivered to and received by the election officers of the respective polling places. Upon the coupon and above the perforated line shall be the words: "Ballot No. (number in figures)." "To be torn off by the judge of elections." "Fold to this line." Below the perforated line shall be printed the words: "Official Ballot..... city, town, &c., of, Ward, Election District No.; November, 19.... John Doe, County Clerk." The blank spaces shall be filled in with the name of the proper city or other municipality, and the ward and district numbers, and the name of the county clerk shall be a facsimile of his signature. The face of the official ballot shall be substantially in the following form:

Space

Vertical square

Numbered coupon at top.

Face of ballot.

Proviso.

Martin.

BALLOT No. 23.

OFF BY THE JUDGE OF ELECTION.

FOLD TO THIS LINE.

(Perforated line.)

OFFICIAL BALLOT.

District No. November 5th, 1912. John Doe, County Clerk.

ELECTORS OF
K IN THE
SURNAMESOF THE CANDIDATES, FOR PRESIDENT AND
VICE-PRESIDENT FOR WHOM YOU DESIRE
TO VOTE.TO VOTE FOR PART OF THE ELECTORS OF
ANY PARTY, MARK A CROSS X IN THE
SQUARE AT THE LEFT OF THE NAME OF
EACH ELECTOR FOR WHOM YOU DESIRE
TO VOTE. VOTE FOR FOURTEEN
ELECTORS.PRESIDENT AND VICE-PRESIDENT.
OF THE UNITED STATES.REPUBLICAN.
TAFT AND MURPHY.
ELECTORS.

- ☐ GRIFFITH W. LEWIS
☐ WILLIAM T. READ
☐ ROBERT E. HAND
☐ ISAAC T. NICHOLS
☐ AUSTEN COLGATE
☐ GEORGE W. F. GAUNT
☐ HARRY D. LEAVITT
☐ JOHN D. PRINCE
☐ WILLIAM W. SMALLEY
☐ CARLTON B. PIERCE

DEMOCRAT.

WILSON AND UNDERWOOD.
ELECTORS.

- ☐ JAMES A. C. JOHNSON
☐ JAMES F. FIELDER
☐ WILLIAM C. GEBHART
☐ JOHN W. SLOCUM
☐ RICHARD FITZHERBERT
☐ GEORGE C. LOW
☐ J. WARREN DAVIS
☐ THOMAS BARBER
☐ JACOB C. PRICE

X TO VOTE FOR A PERSON, MARK A CROSS
 X IN THE SQUARE AT THE LEFT OF THE
 NAME OF THE PERSON FOR WHOM YOU
 DESIRE TO VOTE.

GOVERNOR. VOTE FOR ONE.

- ☐ WALTER E. EDGE=REPUBLICAN.....
☐ GEORGE S. SILZER=DEMOCRAT.....
☐

X TO VOTE FOR A PERSON, MARK A CROSS
 X IN THE SQUARE AT THE LEFT OF THE
 NAME OF THE PERSON FOR WHOM YOU
 DESIRE TO VOTE.

CONGRESSMAN. VOTE FOR ONE.

- ☐ WILLIAM HUGHES=DEMOCRAT.....
☐ THOMAS F. MCCRAN=REPUBLICAN.....
☐

SENATOR. VOTE FOR ONE.

- ☐ JOHN HINCHLIFFE=DEMOCRAT
☐ JOHN D. PRINCE=REPUBLICAN
☐

MEMBER OF ASSEMBLY. VOTE FOR FIVE.

- ☐ WESLEY CHAMBERLAIN=DEMOCRAT
☐ JAMES J. CROWLEY=DEMOCRAT
☐ HARRY JOELSON=DEMOCRAT
☐ CHARLES P. LYNCH=DEMOCRAT
☐ THOMAS F. MORGAN=DEMOCRAT
☐ RANDALL B. LEWIS=REPUBLICAN
☐ JAMES PARKER=REPUBLICAN
☐ LEONARD PIKAART=REPUBLICAN
☐ GARRET H. VERMUELEN=REPUBLICAN..
☐ WILLIAM W. WATSON=REPUBLICAN...
☐

SHERIFF VOTE FOR ONE.

- ☐ JOHN BURHANS=DEMOCRAT
☐ AMOS H. RADCLIFFE=REPUBLICAN
☐

MAYOR. VOTE FOR ONE.

- ☐ AUG. A. FISHER=REPUBLICAN
☐ ANDREW F. MCBRIDE=DEMOCRAT
☐

JUSTICE OF PEACE. VOTE FOR ONE.

- ☐ CHARLES R. BACON=REPUBLICAN
☐ WILLIAM K. DEVEREAUX=DEMOCRAT...
☐

CONSTABLE. VOTE FOR ONE.

- ☐ JOHN RANCIER=REPUBLICAN
☐ FRANK P. VAN NOORT=DEMOCRAT
☐

All spaces except the spaces where the voter is to mark the ballot or to write or paste a name thereon shall be printed in with scroll or lining, to guide the voter against marking in the wrong place. See Section 57, part as to preparation of ballot by voter.

Blank spaces
shall

374. SEC. 58. Whenever any question or proposition is to be submitted to the people of the State, or any subdivision thereof, at any primary or general election, such question or proposition shall be printed upon the ballot underneath the names of the candidates, with appropriate instruction to the voter, in the following form:

Arrangement
of questions
to be
voted on.

If you favor the proposition printed below, make an X mark in the square opposite the word "yes"; if you are opposed thereto, make an X mark in the square opposite the word "No."

Shall an act providing for a Commission form of government for Newark be adopted?	Yes
	No.

If the voter makes an X mark in black ink or black pencil in the square opposite the word "yes," it shall be counted as a vote in favor of said proposition or question. If the voter shall make an X mark in black ink or black pencil in the square opposite the word "No" it shall be counted as a vote against such proposition or question, and in case no mark shall be made after the word either "Yes" or "No" it shall not be counted as a vote either for or against such proposition.

As to marking
and
counting.

375. SEC. 59. Each county clerk shall at least ten days preceding the general election day or such day as may hereafter be fixed by law for the holding of a special election throughout the county furnish to the municipal clerk of each municipality in his county a sufficient number of the proper official sample ballots and a sufficient number of one-cent stamped envelopes to enable each of the boards of registry and election in said county to mail one copy of

Sample ballot
mailed each
voter.

Amended,
P. L. 1914,
p. 194.

the said official sample ballot to each voter who is registered in its district for said election, and said municipal clerk shall deliver the same at his office, on or before the Tuesday preceding the general election, or special election, to the clerk of each board of registry and election in the manner in which said municipal clerk is now required to deliver ballots for the general election; and it shall be the duty of each of said boards to prepare and deposit in the post office, on or before twelve o'clock on Wednesday preceding the election day, a properly stamped envelope containing a copy of said official sample ballot, and addressed to each registered voter in the district of said board at the address shown on the registry. Each envelope shall have printed on the face thereof the words: "Sample Official Ballot" in large type, and in small type the words: "if not delivered in two days, return to _____, County Clerk, Court House, _____," and said clerk shall preserve the same if returned to him, for the space of thirty days, open to public inspection. The ballots so mailed may not be voted.

Words on envelope.

The said sample ballots shall be as nearly as possible a facsimile of the official ballot to be voted at the said election, and shall be printed on paper different in color from the official ballot. The following words shall be printed in large type at the top of the sample ballot: "This ballot cannot be voted. It is a sample copy of the official ballot used on election day." The clerk of the board of registry and election shall also post such sample ballots in the polling place in his district and in at least five other public places therein.

Style of sample ballot.

Sample posted.

It shall be unlawful for any election officer to accept from any voter and deposit in the ballot-box any sample ballot.

Sample not to be voted.

The distribution and use of official ballots at any primary, general or other election shall be confined exclusively to the polling room in the manner herein directed. The board of registry and election shall hand to each voter one official ballot as hereinafter provided.

Official ballots used only in polling room.

Should any voter to whom any official ballot has been handed, spoil or render the same unfit for use, he may return the one spoiled or unfit for use and obtain another from the board of election, but no more than two official ballots shall be furnished to any voter, except at the discretion of said board. The board of registry and election shall preserve all ballots returned by a voter as spoiled or unfit for use and keep a record thereof and place them on a string with the coupons.

Unusable
ballots
returned.

The county clerk shall cause the sample ballots herein provided for to be printed in time for use as aforesaid.

376. SEC. 60. Each board of registry and election shall receipt, by the signature of one of their members, to the municipal clerk for all ballots and stamped envelopes delivered to them by the municipal clerk, and shall return to said clerk all ballots and envelopes not mailed or posted by them, with a sworn statement in writing signed by a majority of said board that all the remainder of said ballots and envelopes had been mailed, and no member of any board which does not make such return shall receive the compensation provided herein for said mailing service.

Receipts and
accounting
for ballots
and
envelopes.

XIII.

377. SEC. 61. The following method of voting shall be observed: Each voter shall first give his full name and address to the member of the election board having charge of the poll-book, and in municipalities requiring personal registration shall sign his name therein, and said member of said election board, having ascertained that said voter is registered as a qualified voter shall place in front of each name as they appear the consecutive poll number of each voter. Thereupon the member of the board having charge of the ballots shall hand to the voter one official ballot, numbered to correspond with the poll number of the voter, allowing for spoiled ballots, if any, and at the same time shall call off said ballot number to the member having

Method of
voting.

Handed
ballot
numbered.

Preparation
of ballot
by voter.

Voting for
presidential
electors.

charge of the poll book, who shall make certain that the ballot number and poll number agree, allowing for spoiled ballots if any. The officer having charge of the ballots shall fold the ballot before handing it to the voter, so that no part of the face of the ballot is observable, and leaving the face of the coupon exposed. No ballots shall be kept in the booth. The voter shall thereupon retire into the polling booth, unless physically unable to do so; he shall indicate his choice among the candidates for the offices in question by marking a cross X or plus + in black ink or black pencil opposite the name of each candidate for whom he desires to vote in the space or square indicated upon the ballot for that purpose, or by writing or pasting the name of any other person and making a cross in the square at the left. The voter may vote for an entire group of candidates for Presidential electors by making a cross in the space or square at the left of the surnames of the candidates for President and Vice-President for whom he desires to vote. If a voter does not desire to vote for all the Presidential electors of the same party, he must not mark a cross X or plus + in the space or square at the left of the surnames of the candidates for President and Vice-President, he must mark a cross X or plus + in the space or square at the left of the name of each candidate for Presidential elector for whom he desires to vote. If a voter mark a cross X or plus + in the space or square at the left of the surname of any candidate for President or Vice-President of the United States and also mark a cross X or plus + in some of the spaces or squares at the left of the name of candidates for Presidential electors, not exceeding the number to be elected, it shall count as a vote for all the candidates for Presidential electors nominated by the party represented by said candidates for President and Vice-President of the United States.

Amended,
P. L. 1916,
p. 595.
Procedure
after leaving
booth with
ballot.

Before leaving the booth the voter shall fold his ballot so that no part of the face of the ballot shall be visible and so as to display the face of the numbered coupon, and shall hand the ballot with the coupon undetached, to the member of the election board having charge of the ballot-box, which member shall call off the number of the ballot and the name of the voter. If the name and number agree with the record in the poll-book, the election officer having

charge of the poll-book shall so announce and place a check mark opposite the poll number to indicate that the person shown thereon as receiving the ballot has voted; the member of the board having charge of the registry list shall check the name of the voter thereon, and write in front thereof the number of such voter's ballot, and thereupon the member of the board having charge of the ballot-box, without displaying any part of the face of the ballot and shall remove the coupon from the top of the ballot and place the ballot in the box and the coupon on a file string. The member of the board having charge of the ballot-box shall keep the ballot in full view of the voter and the other election officers until it is deposited, and the voter may take hold thereof, with the member of the board having charge of the ballot-box, until it is actually deposited. No official ballots (other than official sample ballots) shall be distributed outside the polling place. When one ballot-box is filled with ballots the board shall seal the same and provide another. No envelope shall be used for enclosing the ballots on election day. Said coupons and all spoiled and unused ballots shall be placed inside the ballot boxes and returned to the municipal clerk therewith.

Depositing
ballot.

No ballots
outside polls.

No envelopes.

Coupons
spoiled and
unused bal-
lots, dispo-
sition.

378. SEC. 62. At the close of the polls the board of registry and election shall proceed to canvass the vote substantially as now required by law, counting the votes for each candidate in accordance with the marks made upon the ballot as hereinbefore provided. If a voter marks more names than there are persons to be elected to an office, or his choice cannot be determined, his ballot shall not be counted for such office, but shall be counted for such other offices as are properly marked. Ballots cast but not counted shall be marked "defective" on the outside thereof, and shall be preserved like other ballots.

Vote can-
vassed at
close of polls.

379. SEC. 63. At any primary or general election any person who declares under oath and establishes to the satisfaction of a majority of all the members of the board of registry and election that he is unable to read the English language, or that by reason of blindness or other physical disability he is unable to mark his ballot without assistance, may have the assistance of one or more members of such board, to be assigned by the board, in pre-

Voter's
assistant.

**Preparation
of ballot.**

paring his ballot. Such member or members of such board shall retire with such voter to the booth and assist him in the preparation of his ballot and folding the same. The clerk of the board of registry and election shall make a memorandum on the poll-book of every instance when an oath was administered to a voter as herein provided, stating briefly what facts were sworn to and the name of the member or members of the board who aided such voter. All members of the board of registry and election shall have the right to witness the preparation of the ballot of any such voter, but no other person shall be allowed to assist such voter in marking his ballot or to witness the marking of the same. No member of such board shall reveal the name of any person for whom such voter has voted, or anything that took place while such voter was being assisted.

Expenses.**Ballot-boxes
refitted.****Provide
additional
boxes,****Aperture.****Locks
and keys.****Booths.**

380. SEC. 64. The board, body or officer now charged with the duty of defraying the expenses of conducting the primary and general elections in this State, shall pay any additional expense and compensation made necessary by or provided for in this act. The board of freeholders of each county shall cause the ballot-boxes used at general and primary elections to be fitted for the reception of the ballot herein provided for by enlarging the aperture in the top thereof so that such aperture shall measure three (3) inches by half an inch, and by removing any stamping or any marking devices. If said board shall determine that said existing ballot-boxes will be insufficient to properly receive all ballots to be voted in its respective election districts, it shall provide additional boxes constructed with wooden tops and bottoms and wooden frames and glass sides. Each box shall be provided with a top that will cover the aperture and be held in place by not less than three (3) locks, which shall require three (3) separate keys to open, and not more than one key shall be allowed to any one member of the board. It shall be the duty of the board, body or official, whose duty it is to provide polling booths, to provide booths sufficiently large to enable the voter to conveniently prepare the ballots herein provided for, and to cause said

booths to be sufficiently lighted to enable the voter to read **Lights.**
and mark his ballot.

XIV.

381. SEC. 65. There shall be held in each year a State convention of each of the political parties aforesaid. The said State convention of each party shall be made up of the following members: First, the party candidates who have been nominated at the party primaries in September immediately preceding the convention for the office of Member of Assembly or State Senator in each county of the State; second, the candidate of the party for Governor nominated at the said primaries in the year in which a Governor is elected, and in each year in which no Governor is elected, the Governor of the State shall be a member of the convention of the political party to which he belongs; third, members of the State Senate belonging to said party who are holding office at the time of the holding of the said State convention and whose successors are not to be chosen at the ensuing general election; fourth, members of the State committee chosen as herein provided. The said convention of each party shall be held at the city of Trenton on the Tuesday following the holding of the primary election in each year. The place and the hour at which the convention shall meet shall be fixed by call of the existing State committee, to be issued at least five days prior to said date of meeting. If no call is issued by the State committee, any person qualified to sit in said convention may issue a call. Said convention of each party shall have power to adopt and promulgate a party platform for said party, and to transact such other business as may properly come before it.

**Annual state
conventions;
how com-
posed.**

When held.

Call.

Platform.

At the September primaries of the year wherein a Governor is to be elected, a member of the State committee of each of said political parties shall be elected in each county. The petition endorsing each candidate in each party for this position, shall be made up and filed as now

**State com-
mittee;
membership
and how
chosen.**

provided by law in the case of petitions endorsing candidates for nomination for members of the Assembly and the name shall be printed upon the party primary ballot and the votes shall be cast, counted, canvassed and returned in the same manner as in case of candidates for nomination for Member of Assembly, and the county clerk shall issue a certificate to the person receiving the highest number of votes for this position in each party at the primary as shown by the returns in his office. Members of the State committee shall serve for three years or until their successors are elected. Said State committee shall choose its chairman and the member or members of the national committee of their political party.

Term.

Chairman.

XV.

City and
county
committees.

Annual
meeting.

Chairman.

[Amended,
P. L. 1915,
p. 156.]

Certificate of
election of
county com-
mitteemen.
[Amended,
P. L. 1915,
p. 156.]

382. SEC. 66. The members of the county and city committee of each of the political parties, hereafter elected, shall take office on the first Saturday following their election, on which day the terms of all members of such committees heretofore elected shall terminate. The annual meeting of each county committee shall be held on the first Saturday after the fourth Tuesday in September and the annual meeting of each city committee shall be held on the first Monday after the fourth Tuesday in September in each year, at an hour and place to be designated in a notice to be given by the respective chairmen thereof, at which annual meeting the members of each committee shall elect one of their members as chairman to hold office for one year, or until his successor is elected. Such chairman shall preside at all meetings of his committee and shall perform all duties required of him by law and the constitution and by-laws of such committee.

383. SEC. 67. The municipal clerk shall issue a certificate of election to each person shown by the returns filed in his office to have been elected as a member of the county and city committees of any political party in his municipality. Said committees shall have power to adopt a constitution and by-laws for their proper government.

XVI.

384. SEC. 68. No person not authorized by the proper officers shall print or make any official or sample ballot provided for in this act, or on or prior to election day have in his possession an official ballot, without being such person as is authorized by this act to have charge or possession thereof.

Unauthorized persons not to print or have ballots.

No person shall on any pretext carry any official ballot from the polling room on primary or election day, except such persons as may by this act be authorized so to do.

Official ballot not taken from polling room.

385. SEC. 69. Any person or persons who shall willfully violate any provision of this act, or who shall do any act herein prohibited, shall be guilty of a misdemeanor.

Penalty.

386. SEC. 70. If in this act no method is prescribed for carrying into effect any provision thereof, the method for so doing shall be the same as provided in the act to which this is a supplement, or its supplements and amendments so far as may be, for any proceeding of similar or like nature.

Present methods applicable.

387. SEC. 71. Each section of this act and every part of each section are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void, ineffective or unconstitutional for any cause shall not affect the other sections or parts thereof.

Relation of sections of act.

388. SEC. 72. All acts or parts of acts inconsistent herewith are hereby repealed.

Repealer.

389. SEC. 73. This act shall take effect immediately.

Approved April 19, 1911.

A Supplement of Apr. 20, 1911, P. L. 1911, p. 329.

Committee
to receive
and expend
campaign
funds.

Number.

Proviso.

Joint action.

Treasurer.

Accounts,
etc.

Candidate
must make
selection.

Committee to
have sole
charge of
moneys.

Vacancies.

390. SEC. 1. Hereafter any person endorsed in any petition as a candidate for nomination by any political party at any primary election, or for election as a member of a party committee, or delegate to a national convention, or any person nominated by petition for any elective office, at the time of filing such petition, or within five days thereafter, shall file with the officer authorized by law to receive and file such petition, the names of not less than one, or more than five, persons selected to receive, expend, audit and disburse all moneys contributed, donated, subscribed, or in any wise furnished or raised for the purpose of aiding or promoting the nomination or election of such candidate, together with the written acceptance and consent of such persons to act as such committee; *provided*, that any candidate may, if he sees fit to do so, declare himself as the person chosen for such purpose, or may, either in the first instance, or within five days after he has received any party nomination, designate the county or State committee of his party for such purpose, in which event the maximum number hereinbefore stated shall not apply. Such person or persons, or committee, may act conjointly for any number of candidates. They shall appoint one of their number to act as treasurer, who shall receive and disburse all moneys received by said committee. He shall keep detailed accounts of all receipts, payments and liabilities. Failure to make such declaration of appointment or section by any candidate shall operate as a refusal to accept such nomination. The said committee shall have the exclusive custody of all moneys contributed, donated, subscribed, or in anywise furnished for or on behalf of the candidates or political party represented by said committee, and shall disburse the same on proper vouchers. If, for any cause, a vacancy shall occur in the membership of said committee prior to the fifteenth day before the day of holding a primary or general election, the vacancy must be filled by the authority making original appointment. No vacancy by resignation from said committee, or by

refusal to act thereon, shall occur after the fifteenth day before the day of holding of said election, and until the said committee shall have completed and discharged all the duties required of them by this act. If any vacancy be created by death or legal disability, subsequent to the fifteenth day before the day of holding an election, such vacancy shall not be filled, and the remaining members shall discharge and complete the duties required of said committee as if such vacancy had not been created. No candidate for nomination or election shall expend any money, directly or indirectly, in aid of his nomination or election, except by contributing to the committee designated by him as aforesaid. Any person who shall act as his own committee shall be governed by the provisions of this act relating to committees designated by candidates.

All expenditures by committee.

391. SEC. 2. Within five days after any primary election, and within twenty days after any general election, the treasurer of said committee shall file, as hereinafter provided an itemized statement, showing in detail all the moneys contributed, donated, subscribed, or in anywise furnished or received, to the use of the political party, organized assemblage or body, or any or all the candidates for public office or electors, or for nomination, coming under the control of such committee, or into their custody, directly or indirectly, together with the name of each contributor, donor, subscriber, or source from which such moneys were derived, and an itemized statement of all moneys expended in sums over five dollars; such statement shall give the names of the various persons to whom such moneys were paid, the specific nature of each item, by whom the service was performed, and the purpose for which it was expended. There shall be attached to such statement an affidavit, subscribed and sworn to by the treasurer of said committee, setting forth in substance that the statement thus made is in all respects true, and that the same is a full and detailed statement of all moneys, securities, or equivalents for moneys, coming under the control or in the custody of said committee and by them expended, directly or indirectly. Such statement shall be filed in the same office in which is filed the certificate of their selection as such committee, and shall become a public document and open to inspection by any citizen.

Itemized statement filed showing every receipt and expenditure.

Sworn statement.

Filed and open to inspection.

Each candidate to file statement of personal contributions.

392. SEC. 3. Every candidate who is voted for at any primary or general election held within the State shall, within five days after any primary election, and within twenty days after any general election, file, as herein-after provided, a statement under oath, showing all moneys paid, loaned, contributed or otherwise furnished by him to said committee in aid of his election or nomination. Such statement shall give the names of the various persons, if any, who paid, loaned, contributed, or otherwise furnished any moneys to said candidate in aid of his election or nomination. There shall be attached to such statement an affidavit, subscribed and sworn to by such candidate, which must be substantially in the following form:

Form of statement.

State of New Jersey, county of _____, ss.

I give (give name), having been a candidate for _____, at the (primary or general) election held in the county, city and county, city or other division, State of New Jersey, on the _____ day of _____, 19____, do solemnly swear that I have paid the sum of \$_____ to _____ (naming the committee designated by him), for my expenses at the said election, and no more, and that, except as aforesaid, I have not, nor, to the best of my knowledge and belief, has any person, committee, club, society or association, on my behalf, directly or indirectly, made any payment, or given, promised or offered any reward, office, employment or valuable consideration, or incurred an liability on account of or in respect of the conduct or management of the said election, except such moneys as may have been paid to or expended by the said committee designated by me.

Disclaiming responsibility.

393. SEC. 4. If any candidate seeks to avoid the responsibility of any payment made by any other person in his behalf, of which he has knowledge, he shall set forth such payment and disclaim responsibility therefor.

Where statements filed.

394. SEC. 5. Candidates for office, or for nomination for office, to be filled by the voters of the State, or of any political division thereof greater than a county, shall file their statements in the office of the Secretary of State.

Candidates for all other offices shall file their statements in the same office in which is filed the certificate of the committee of their selection. The statement and affidavit of a committee or candidate shall, after being filed, become a public record, and open at all times to public inspection.

[Amended,
P. L. 1912,
chap. 401.]

395. SEC. 6. Any candidate who shall refuse or neglect to file, or who makes a false statement of moneys received or expended, as prescribed by section three of this act, shall, in addition to the punishment for such offense prescribed by the laws of this State, forfeit any office to which he may have been elected at the election with reference to which the statement is required to be made. If a candidate elected to a public office or party position refuses or neglects to file the statement prescribed by section three of this act, no certificate of election shall be issued to him; neither shall any official bond presented or offered by him be approved, and the incumbent of the office, unless he is himself a defaulting candidate, must not surrender or deliver up said office, but shall continue to discharge the duties and shall receive the emoluments thereof until his successor is legally chosen. If the candidate refusing or neglecting to file the statement, or making a false statement of moneys received or expended, is the incumbent of an office of profit or trust under the laws of this State, except in the event of a constitutional provision to the contrary, in addition to the punishment prescribed by the laws of this State for such refusal or neglect, or for making such false statement, he shall be deprived of his office, and shall also forfeit any office to which he may have been elected at the election in reference to which the statement is required to be made.

Penalties.

No certificate
to issue if
statement
not filed.

Office not to
be yielded to
defaulting
candidate.

396. SEC. 7. Every claim payable by the committee selected under the provisions of section one of this act, on account of or in respect of any expense incurred in the conduct and management of an election held within this State, or on behalf of the candidates of the political party organized assemblage or body, which such committee represents, must be presented to the committee within four days after the primary election, and ten days after the general election, and if not so presented the same shall not

Time for
presenting
claims
against
committee.

All expenses
paid within
fifteen days.

be paid, and no action shall be commenced or maintained thereon, and all expenses incurred as aforesaid shall be paid within fifteen days after the completion of such official canvass, and not otherwise. Any person who makes a payment in contravention of this act is guilty of a misdemeanor.

Payment of
claims after
time limit.

Court must
be satisfied
that no in-
tentional
misconduct
shown.

397. SEC. 8. The judge of the Court of Common Pleas in the county wherein such statement is filed, or is required to be filed, may, on the application of either the committee or a creditor thereof, allow any claim to be presented and paid after the time limited by this act and a statement of any sum so paid, with a certificate of its allowance, shall forthwith, after payment, be filed by the committee in the same office as the original statement of the committee. If the committee, upon such application, shall show to the satisfaction of said judge that any error or false recital in such statement or affidavit, or that the failure to make such statement or affidavit, or to present, within the designated time, a claim otherwise just and proper, has been occasioned by the absence or illness of such candidate, or by the absence, illness or death of one or more members of such committee, or by the misconduct of any person other than such applicant, or by inadvertence or excusable neglect, or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant, the judge may, after such notice of the application as the judge shall require, and on the production of such evidence of the facts stated in the application as shall be satisfactory to such judge, by order, allow such statement and affidavit to be filed, or such error or false recital therein to be corrected, or such claim to be paid, as the judge seems just; and such order shall relieve the applicant from any liability or consequences under this act in respect of the matters excused by the order. If the application is made by a creditor, the judge may, under like conditions and upon a like showing, order the claim to be paid, and the creditor shall also be entitled to his costs. The claims of one or more creditors may be united in such application, but the amount and specific nature of each claim must be fully stated.

398. SEC. 9. Every bill, placard, poster, pamphlet, advertisement or other printed matter having reference to an election, or to any candidate, shall bear upon the face thereof the name and address of the person or committee causing the same to be published, and no payment therefor shall be made or allowed unless such address is so printed.

All publications to show author.

399. SEC. 10. No money shall hereafter be paid or any expense authorized or incurred by or on behalf of any candidate for nomination at any primary, or for election to any party position, for election to any office at any general election, or any political party or organization, for any purpose prohibited by the provisions of this act.

Use of money to secure election to office prohibited.

400. SEC. 11. No money shall be paid or expense authorized or incurred by any candidate for nomination or election to any office or party position, to be paid by him in excess of the following sums: At any primary election, twenty-five hundred dollars by a candidate for nomination for Governor; fifteen hundred dollars by a candidate for nomination for Congress; five hundred dollars by a candidate for nomination for any county office, including members of the Senate; two hundred dollars by a candidate for nomination for the General Assembly; two hundred and fifty dollars by a candidate for nomination for any municipal office; *provided, however*, that any candidate for nomination may expend in his campaign for nomination a sum not exceeding twenty-five per centum of one year's salary of the office for which he is a candidate for nomination. Candidates nominated at the primary election, or nominated by petition, may expend not in excess of like sums in their campaign for election; *provided* that nothing herein contained shall authorize personal expenditure by any such candidate, but the sums herein mentioned may be contributed to the designated committee, and expended by them in the manner herein provided.

Money that candidate is allowed to expend.

Proviso.

Proviso.

Explanation.

401. SEC. 12. For the purposes of this act, the expenses or contributions of any ascendant, or descendant, brother, sister, uncle, aunt, nephew, niece of any candidate, or of any fellow official of a corporation, shall be considered as the expenses or contributions of the candidate.

**Expenses
forbidden.**

402. SEC. 13. No money shall be spent, and no expense authorized or incurred on behalf of any candidate for nomination to any office, or on behalf of any candidate for any office or party position, or on behalf of any political party or organization, for either of the following purposes:

[Amended,
P. L. 1912,
chap. 401.]

**Hiring
vehicles.**

(a) The hiring of any vehicle for the transportation of voters to and from the polls;

**Hiring
watchers.**

(b) The hiring of any watchers, agents or challengers for any work on election day.

**Party or-
ganizations
may employ
watchers.**

Provided, that each political party or organization may employ not exceeding two persons on election day to act as challengers or agents in each polling place as now provided by law; such challenger and agent shall on said election day wear a badge which shall show to any other person the political party or candidate for whom such challenger or agent is acting; said badges shall be furnished by the county board of elections.

**Transporta-
tion of voters
physically
unable to go
to polls at
general
election.**

And provided further that the chairman of the county committee or other organization of any political party which has nominated candidates to be voted for at any general election, may petition the judge of the Court of Common Pleas of said county at least fourteen days prior to the day of the general election, setting forth that certain voters described in said petition reside at a distance of at least two miles from the polling place at which, under the law, they are entitled to vote on election day, or are aged or infirm, and that said voters do not, nor does any of them, possess any vehicle or other means of transportation from their places of residence to the said polling place,

and no trolley line is available as hereinafter stated, and requesting that the said judge shall order the expenses of the transportation of the said voters on election day from their homes to their polling place and return to be paid by the board of freeholders of said county, upon vouchers as hereinafter provided.

And provided further, that nothing in this act anywhere shall be construed to in any way limit the right of any volunteer acting without compensation to transport any voter properly registered to or from any polling place where he may be legally entitled to cast his vote.

Volunteers
may trans-
port voters.

403. SEC. 14. If the said judge shall be satisfied that the public interests require the transportation of the said voters, he may make an order authorizing the petitioner to employ such number of conveyances, at rates of compensation to be fixed in the said order, and the amount so authorized shall be paid by the county board of freeholders, upon vouchers as hereinafter provided. Each person who shall furnish a vehicle or conveyance under the order of the said judge, shall file with the said judge within four days after the day of election, a voucher or bill setting forth the number of voters transported in his said vehicle and the time consumed in such transportation. The owner or operator of said vehicle or conveyance shall make oath or affirmation to the truth of the facts set out in the said voucher. Annexed to said voucher or bill shall be the affidavit of each person claimed to have been transported by the person presenting the said voucher or bill; said affidavit shall state the place of the residence of said voter, and shall set forth that the place of said residence is more than two miles from the polling place at which said voter voted, and that said voter did not own any horse and wagon or motor vehicle on said day of election, and that there was no trolley line running within half a mile of the residence of the said voter upon which he could be transported to within half a mile of the said polling place. If the said judge of said court shall approve of the said voucher, the same shall be paid by the county board of freeholders.

Court may
order trans-
portation
furnished.

Presentation
of bills, with
vouchers and
affidavits
annexed.

Bills paid by
freeholders.

Candidate
may apply
for order for
transporta-
tion to
primary.

404. SEC. 15. Any person endorsed as a candidate for the nomination of any political party to public office in any county, may make application to a judge of the Court of Common Pleas for an order for the transportation of voters at any primary election upon the same terms and conditions as are herein provided for the transportation of voters at any general election.

All expenses
and payments
made through
committee;
otherwise
void.

405. SEC. 16. No payment of money shall be made and no expense shall be incurred by any person in aid of or for or on behalf of any candidate, or on account of or in respect of the conduct or management of an election held within this State, except by the committee selected under the provisions of section one of this act. All expenses shall be paid only from the fund in the custody of the said committee so selected as required by this act. Any contract for the payment of money, or any expense incurred, contrary to the provisions of this section, shall be absolutely void.

Forbidden
actions.

406. SEC. 17. No person or candidate for nomination or for election to a public office or party position shall pay, lend, or contribute, or offer, or agree to pay, lend or contribute, any money or other valuable consideration to or for any person, either for—

Acts con-
trary to
election
laws.

(1) The doing or procuring to be done of any act forbidden to be done by the laws of this State relating to primary or general elections; or,

Crime
against
elective
franchise.

(2) The commission of any crime or offense against the elective franchise, or the encouragement or assistance of a person in the commission of a crime or offense against the elective franchise, or aiding or assisting any person charged with the commission of a crime against the elective franchise to evade arrest or to escape conviction and punishment for such crime or offense; or,

Colonizing.

(3) Providing wholly or in part for the expense of boarding, lodging or maintaining a person at any place or domicile in any election precinct or ward or district

with the purpose of securing the vote of such person for himself, or any other person, at an election held within the State; or,

(4) The hiring or employment of a person to take or maintain a place in, or to otherwise obstruct or hinder or to prevent the forming of the line of voters awaiting their opportunity or time to enter the polling place or election booth of any election precinct; or,

Hindering voters.

(5) In consideration of any person withdrawing as a candidate for public office or Presidential elector, at any election held within this State; or,

Withdrawal as candidate.

(6) For any purpose in contravention of the provisions of this act; or,

Against this act.

(7) Making any payment after the time limited by this act, unless the same is authorized as provided by this act; or unless it be in satisfaction of a judgment obtained against him, whether before, during or after an election, in respect of or on account of such election, or who refuses or neglects to file the statement prescribed by section three of this act, or who makes or files a false statement thereof, or who is guilty of any crime against the elective franchise, or any offense which is punishable by fine or imprisonment, or both, under the provisions of this act.

Making payments after time limit.

407. SEC. 18. No person shall make any payment of his own money, or of the money of any other person, in connection with any nomination or election in any other name than that of the person who really supplies such money, nor shall any person knowingly receive such money, or thing of value, and enter it into his accounts in any other name than the name of the person who really supplies the same; *provided*, that the money received from the treasurer of any political organization may be so entered.

Name of giver must be entered.

Proviso,

408. SEC. 19. No holder of any public office or position not filled by the voters or benevolent order or association thereof shall contribute to the nomination or the election of any person to public office or party position; *provided*, that this prohibition shall not apply to any

Forbidden to contribute.

Proviso.

person holding an appointive office or position the term of which is fixed by law. No person shall invite, demand or accept payment or contribution from such persons for campaign purposes.

Soliciting for churches, etc., forbidden.

409. SEC. 20. No person shall demand, solicit, ask or invite any payment or contribution for any religious, charitable or other cause or organization supposed to be primarily for the public good, from any candidate for nomination or election.

Subscriptions, support of clubs, etc., prohibited.

Usual business and church contributions not meant.

410. SEC. 21. No person shall demand, solicit, ask or invite any candidate for nomination or for public office or party position to subscribe for the support of any club or organization, or to buy tickets to any entertainment or ball, or to pay for space in any book, program, periodical or publication. This shall not apply to the solicitation of any business advertising in periodicals in which the candidate was a regular advertiser prior to his candidacy, nor to ordinary business advertising, nor to the regular payments to any organization, religious, charitable or otherwise, of which he was a member, or to which he was a contributor, for more than six months before his candidacy, nor to any ordinary contributions at church services.

Corporation contributions forbidden.

411. SEC. 22. No corporation or person, trustee or trustees owning or holding the majority of stock of a corporation, carrying on the business of a bank, savings bank, co-operative bank, trust, trustee, savings indemnity, safe deposit, insurance, rail, street railway, telephone, telegraph, gas, electric light, heat, power, canal or aqueduct company, or any company having the right to condemn land, or to exercise franchises in public ways granted by the State, county, city or town, shall pay or contribute any money or value in order to aid or promote the nomination or election of any person, or in order to aid or promote the interests, success or defeat of any political party.

Attendance at polls not paid for.

412. SEC. 23. No person, party or organization shall pay any person for loss or damage due to attendance at the polls at any primary or general election, or any registry thereof, or for the purpose of such registration.

413. SEC. 24. No person shall sell, give or provide any political badge, button or other insignia to be worn at or about the polls on any primary or general election day, except the badge furnished by the county board of elections are herein provided.

Badges furnished by county board of elections.

414. SEC. 25. It shall be unlawful for any person, directly or indirectly, by himself or through any other persons—

Unlawful contributions:

(1) To pay, lend or contribute, or offer or promise to pay, lend or contribute, any money or other valuable consideration to or for any voter, or to or for any other person, to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election for any particular person or persons, or to induce such voter to come to the polls or remain away from the polls at such election, or on account of such voter having voted or refrained from voting for any particular person, or having come to the polls or remained away from the polls at such election.

To cause voters to vote or refrain from voting.

(2) To give, offer or promise any office, place or employment, or to promise to procure, or endeavor to procure, any office, place or employment to or for any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting at any election, or to induce any voter to vote or refrain from voting at such election for any particular person or persons.

To promise employment.

(3) To make any gift, loan, promise, offer, procurement or agreement, as aforesaid, to, for or with any person, in order to induce such person to procure, or endeavor to procure, the election of any person, or the vote of any voter at any election.

To induce votes.

(4) To procure, or engage, promise, or endeavor to procure, in consequence of any such gift, loan, offer, promise, procurement or agreement, the election of any person, or the vote of any voter at such election.

To procure votes.

(5) To advance or pay, or cause to be paid, any money or other valuable thing, to or for the use of any other person, with the intent that the same, or any part

To furnish funds for bribery.

thereof, shall be used in bribery at any election; or to knowingly pay, or cause to be paid, any money or other valuable thing to any person in discharge or repayment of any money, wholly or in part, expended in bribery at any election.

To furnish
money for
board and
lodging.

(6) To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that the same, or any part thereof, shall be used for boarding, lodging or maintaining a person at any place or domicile in any election precinct, or ward or district, with intent to secure the vote of such person, or to induce such person to vote for any particular person or persons at any election.

To assist in
evading
arrest.

(7) To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, with the intent that the same, or any part thereof, shall be used to aid or assist any person to evade arrest who is charged with the commission of a crime against the elective franchise, for which, if the person were convicted, the punishment would be imprisonment in the State Prison.

To pay for
endorsement
by delegates,
associations,
etc.

(8) To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, in consideration of being selected or endorsed as the candidate of any convention, organized assemblage of delegates, or other body, representing, or claiming to represent, a political party or principle, or any club, society or association, for a public office, or in consideration of the selection or endorsement of any other person as a candidate for a public office, or in consideration of any member of a convention, club, society or association, having voted to select or endorse any person as a candidate for a public office.

To secure
withdrawals.

(9) To advance or pay, or cause to be paid, any money or other valuable thing to or for the use of any other person, in consideration of a person withdrawing as a candidate for public office.

415. SEC. 26. It shall be unlawful for any person, directly or indirectly, by himself or through any other person:

Unlawful acts:

(1) To receive, agree or contract for, before or during an election, any money, gift, loan or other valuable consideration, office, place or employment, for himself or any other person, for voting or agreeing to vote, or for coming or agreeing to come to the polls, or for refraining or agreeing to refrain from voting, or for voting or agreeing to vote, or refraining or agreeing to refrain from voting for any particular person or persons at any election.

To receive money, position, etc.

(2) To receive any money or other valuable thing during or after an election, on account of himself, or any other person, having voted or refrained from voting for any particular person or persons at such election, or on account of himself, or any other person, having come to the polls or remained away from the polls at such election, or on account of having induced any other person to vote or refrain from voting, or to vote or refrain from voting for any particular person or persons, or to come to or remain away from the polls at such election.

To vote or refrain from voting for consideration.

(3) To receive any money or other valuable thing, before, during or after election, on account of himself or any other person having voted to secure the election or indorsement of any other person as the nominee or candidate of any convention, organized assemblage of delegates, or other body, representing, or claiming to represent, a political party or principle, or any club, society or association, or on account of himself or any other person having aided in securing the selection or indorsement of any other person as a nominee or candidate as aforesaid.

tion.
To receive consideration to secure de'egitua or endorsement.

416. SEC. 27. No person shall wilfully cause, procure or allow himself to be registered in any registration list, knowing himself not to be entitled to such registration.

False registration in person.

Causing
others
to register
falsely.

417. SEC. 28. No person shall wilfully cause, procure or allow any other person to be registered in any registration list, knowing such person not to be entitled to such registration.

Fraudulent
voting, stuff-
ing ballot-
box, destroy-
ing records,
etc., a mis-
demeanor,

418. SEC. 29. Every person not entitled to vote, who fraudulently votes, and every person who votes more than once at any one election; or knowingly hands in two or more tickets folded together; or changes any ballot after the same has been deposited in the ballot-box; or adds, or attempts to add, any ballot to those legally polled at any election, either fraudulently introducing the same into the ballot-box before or after the ballots therein have been counted, or adds to or mixes with, or attempts to add or mix with, the ballots lawfully polled, other ballots, while the same are being counted or canvassed, or at any other time, with intent to change the result of such election; or carries away or destroys, or attempts to carry away or destroy, any poll list, or ballots, or ballot-box, for the purpose of breaking up or invalidating such election; or wilfully detains, mutilates or destroys any election returns; or in any manner so interferes with the officers holding such election, or conducting such canvass, or with the voters lawfully exercising their rights of voting at such election, as to prevent such election or canvass from being fairly had and lawfully conducted, shall be guilty of a misdemeanor.

Illegal
voting.

419. SEC. 30. Every person not entitled to vote, who fraudulently attempts to vote, or who, being entitled to vote, attempts to vote more than once at any election, or who personates, or attempts to personate, a person legally entitled to vote, shall be guilty of a misdemeanor.

Imperson-
ating.

Penalty for
election
officers.

420. SEC. 31. Every person charged with the performance of any duty under the provisions of any law of this State relating to elections, who wilfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be guilty of a misdemeanor.

421. SEC. 32. A person offending against any provision of this act is a competent witness against another person so offending, and may be compelled to attend and testify upon any trial, hearing, proceeding or lawful investigation or judicial proceeding, in the same manner as any other person. But the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying. A person so testifying shall not thereafter be liable to indictment or presentment by information, nor to prosecution or punishment for the offense with reference to which his testimony was given, and may plead or prove the giving of testimony accordingly in bar of such indictment, information or prosecution.

As to testimony of offenders.

422. SEC. 33. It shall be unlawful for any candidate for public office, before or during an election, to make any bet or wager with a voter, or take a share or interest in, or in any manner become, a party to such bet or wager, or provide or agree to provide any money to be used by another in making such bet or wager, upon any event or contingency whatever. Nor shall it be lawful for any person, directly or indirectly, to make a bet or wager with a voter, depending upon the result of any election, with the intent thereby to procure the challenge of such voter, or to prevent him from voting at such election.

Betting.

423. SEC. 34. Every candidate who refuses or neglects to file a statement, as prescribed in section three of this act, is guilty of a misdemeanor.

Penalty for not filing statement.

424. SEC. 35. Every treasurer of a committee selected under the provisions of section one of this act, who refuses or neglects to file a statement, as prescribed by section two of this act, is guilty of a misdemeanor.

Penalty for treasurer of committee.

425. SEC. 36. It shall be unlawful for any person, directly or indirectly, by himself or any other person in his behalf, to make use of, or threaten to make use of, any force, violence or restraint, or to inflict or threaten the infliction, by himself or through any other person, of

Threats.

any injury, damage, harm or loss, or in any manner to practice intimidation, upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election, or to vote or refrain from voting for any particular person or persons at any election, or on account of such person or persons at any election, or on account of such person having voted or refrained from voting at any election. And it shall be unlawful for any person, by abduction, duress, or any forcible or fraudulent device or contrivance whatever, to impede, prevent or otherwise interfere with the free exercise of the elective franchise by any voter; or to compel, induce or prevail upon any voter either to give or refrain from giving his vote at any election, or to give or refrain from giving his vote for any particular person or persons at any election. It shall not be lawful for any employer, in paying his employes the salary or wages due them, to inclose their pay in "pay envelopes" upon which there is written or printed the name of any candidate or any political mottoes, devices or arguments, containing threats, express or implied, intended or calculated to influence the political opinions or actions of such employees. Nor shall it be lawful for any employer, within ninety days of an election, to put up or otherwise exhibit in his factory, workshop or other establishment or place where his workmen or employes may be working, any hand-bill or placard containing any threat, notice or information that in case any particular ticket of a political party, or organization, or candidate shall be elected, work in his place or establishment will cease in whole or in part or his place or establishment be closed up, or the salaries or wages of his workmen or employes be reduced, or other threats, express or implied, intended or calculated to influence the political opinions or actions of his workmen or employes. This section shall apply to corporations as well as individuals, and any person or corporation violating the provisions of this section is guilty of a misdemeanor, and any corporation violating this section shall forfeit its charter.

Abduction,
interference,
etc.

Pay
envelopes
not to bear
political ex-
pressions.

Posting
political
hand-bills
containing
threats in
factories.

Penalty.

Corporations
to forfeit
charter.

Penalty for
election
officers to
seek or dis-
close voter's
ballot.

426. SEC. 37. Every inspector, judge or clerk of an election, who, previous to putting the ballot of an elector in the ballot-box, attempts to find out any name on such ballot, or who opens or suffers the folded ballot of any elector which has been handed in to be opened

or examined previous to putting the same in the ballot-box, or who makes or places any mark or device on any folded ballot with the view to ascertain the name of any person for whom the elector has voted, or who, without the consent of the elector, discloses the name of any person which such inspector, judge or clerk has fraudulently or illegally discovered to have been voted for by such elector, shall be guilty of a misdemeanor.

427. SEC. 38. If the prosecutor of the pleas of the county shall be notified by any officer or other person of any violation of any of the provisions of this act, it shall be his duty forthwith to diligently inquire into the facts of such violation, and if there is reasonable ground for instituting a prosecution, it shall be the duty of such prosecutor of the pleas to present the said charge with all the evidence which he can procure, to the grand jury of such county. If any prosecutor of the pleas shall fail or refuse to faithfully perform any duty imposed upon him by this act, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall forfeit his office. It shall be the duty of the prosecutor of the pleas, under the penalty of forfeiture of his office, to prosecute any and all persons guilty of any violation of the provisions of this act, the penalty of which is fine or imprisonment, or both, or removal from office. Any citizen may employ an attorney to assist the prosecutor of the pleas to perform his duties under this act, and such attorney shall be recognized by the prosecutor of the pleas and the court as associate counsel in the proceeding; and no prosecution, action or proceeding shall be dismissed without notice to, or against the objection of, such associate counsel until the reasons of the prosecutor of the pleas for such dismissal, together with the objections thereto of said associate counsel, shall have been filed in writing, argued by counsel, and fully considered by the court, with such limitation as to the time of filing such reasons and objections as the court may impose.

Duty of
prosecutor to
inquire into
violations.

Prosecutions.

Citizens
may assist
prosecutor.

Dismissal of
actions.

428. SEC. 39. Any person or candidate who shall violate any provision of this act shall be guilty of a misde-

Penalties.

Forfeiture
of office.

meanor; and any such candidate shall, in addition to the punishment prescribed by law, forfeit any office to which he may have been elected at the election in reference to which such crime or offense was committed; and if the candidate so offending is the incumbent of an office of profit or trust under the laws of this State, he shall thereby forfeit this office. Any candidate who procures, aids, assists, counsels or advises the payment of any money or other valuable thing by or on behalf of a committee selected under the provisions of section one of this act, and such payment is made for any purpose which, if the money was expended by the candidate, would work a forfeiture of the office to which he has been elected, such payment shall be deemed to have been made by such candidate, and he shall forfeit any office to which he may have been elected at the election in reference to which such payment was made by or on behalf of such committee.

Contested
elections.

429. SEC. 40. Any twenty-five voters of the State, or of any political division thereof, may contest the right of any person to nomination, position or office for which said voters had the right to vote, on the ground of deliberate, serious and material violation of the provisions of this act or of any other provisions of the law relating to nominations and elections. Any defeated candidate for said nomination, position or office may make said contest. Said procedure shall be commenced by petition filed in the circuit court of the county, in which the candidate whose election is contested resides, and the contest shall be carried on according to the provisions of section one hundred and sixty-two of the act to which this act is a supplement.

Court to
pronounce.

In case of contest over nominations, the court shall pronounce whether the incumbent or contestant was duly nominated, and the person so declared nominated shall have his name printed on the official ballots.

Court to
consider
mitigating
circum-
stances.

430. SEC. 41. When upon the trial of any action or proceedings under this act it shall appear from the evidence that the offense complained of was not committed

by the candidate, or with his knowledge or consent, or was committed without his sanction or connivance, and that all reasonable means were taken by such candidate at such election, or were taken by or on behalf of the candidate, or that the offenses complained of were trivial, unimportant or limited in character, and that in all respects his candidacy and election were free from all offensive, or illegal acts, or that any act or omission of any candidate, or that the offenses complained of were trivial, or from some other reasonable cause of like nature, and in any case did not arise from any want of good faith, and under the circumstances it seems to the court to be unjust that the candidate shall forfeit his nomination, position or office, then the nomination or election of such candidate shall not by reason of such offense complained of to be void, nor shall the candidate be removed from nor deprived of his nomination, position or office.

431. SEC. 42. Any action under this act contesting any nomination or election must be commenced within ten days after the day of the primary, or thirty days after a general election, unless the ground of action is discovered from the statements filed under this act, in which event the action must be commenced within ten or thirty days after such discovery, respectively. Any action to annul any nomination or election of any person for office mentioned in this act, must be filed in the circuit court of the county in which the person resides whose right to the nomination, position or, office is contested.

Time for
beginning
contests.

432. SEC. 43. Any corporation organized under the laws of this State, or doing business therein, may be brought into the circuit court on the ground of the deliberate, serious and material violation of this act by proceedings begun and continued in substantially the same form as is required in the case of contesting the nomination or election of any candidate for public office under this act. The petition shall be filed in the circuit court of the county in which the corporation has its principal office, or in which the violation of this act is averred to have occurred.

Proceedings
against cor-
porations.

Judgment.

If judgment shall be rendered in such proceedings against the corporation, and it shall be found to have violated the said act, judgment shall be awarded against the said corporation in the amount of not exceeding ten thousand dollars, or the said court may forfeit the charter of said company, if it is a company organized under the laws of this State.

Candidates set aside not to fill vacancies.

433. SEC. 44. A candidate elected to an office, and whose election thereto has been annulled and set aside for any offense mentioned in this act, shall not, during the period fixed by law as the term of such office, be appointed to fill any vacancy which may occur in such office. A candidate or other person who is removed from or deprived of his office for any offense mentioned in this act, shall not, during the period remaining as the unexpired term of such office, or during the period fixed by law as the next ensuing term of such office, be appointed to fill any vacancy which may occur in such office. Any appointment to an office made in violation of or contrary to the provisions of this section shall be void.

434. SEC. 45. In the event that any provisions or paragraph or part of this act shall be questioned in any court and shall be held to be invalid, the remainder of the act shall not be invalidated, but shall remain in full force and effect.

Supplement, May 2, 1911, P. L. 1911, p. 762.

Constitutionality of sections.

435. SEC. 1. No vacancy on any primary ticket caused by the death of any candidate endorsed in any petition, or by a declination in writing by any candidate so endorsed, shall be filled unless the said vacancy occurs at least fifteen days before the primary election.

436. SEC. 2. All petitions endorsing any person or persons as candidates for nomination of any political party to any public office of any county, including members of the General Assembly and State Senate, shall be filed with the county clerk of such county at least twenty-five days prior to the time fixed by law for the holding of such primary election, and the said county clerk shall certify all of said nominations to the clerk of each municipality in his county at least twenty days prior to the time fixed by law for the holding of said primary election.

Supplement of Mar. 13, 1912, P. L. 1912, p. 100.

437. SEC. 1. The American flag shall be displayed in each polling place in this State by the boards of registry and election during the hours when said boards are in session.

Flag displayed at polling place.

438. SEC. 2. The board, body or officer now charged with the duty of defraying the expenses of conducting the primary and elections shall furnish said flag, which shall be approximately three feet by five feet in size.

Who is to furnish flag.

Supplement of Mar. 28, 1912, P. L. 1912, p. 425.

439. SEC. 1. Any male person who has attained the age of twenty-one years and has a legal residence in the State of New Jersey, but is now, or hereafter may be living out of the State, in the employ of the United States Government, and who has the right to and desires to exercise the right of franchise, shall have the right to be registered by affidavit for any primary and general, State or municipal election, in the city, borough, town or township, wherein he has a legal residence, provided such affidavit

Employed of federal government may register by affidavit.

shall properly answer the same questions required to be answered in the case of person registration. Election officers shall accept such affidavit, if received by mail or by proxy, prior to or on the day of the last registration for any such election, and place the said person's name on the registry list, provided, it is accompanied by a certificate from the department or bureau where such person is employed, certifying that the applicant for the right of franchise, is a legal resident of the State of New Jersey, and is credited to this State on the records of the office where employed.

Supplement of Apr. 16, 1912, 845.

Candidates
or commit-
tees who fail
to file
statements
may apply
for exten-
sion.

440. SEC. I. Any candidate for office, or the campaign committee of such candidate, or either of them, who may have heretofore failed or neglected to file the statement and report required by the act to which this is a supplement, within the time required by said act, may apply to the judge of the Court of Common Pleas of the county in which said candidate resided at the time of the said election, for permission to file the statement and report aforesaid, and said judge shall thereupon inquire into the reasons for the failure to file such statement and report, and if it shall appear to him, by affidavit or otherwise, that the said candidate or campaign committee of such candidate has complied with the provisions of the act to which this is a supplement, except as to the filing of such statement and report within the time required by said act, he may thereupon make an order permitting such candidate and campaign committee to file such statement and report within a time to be fixed by said order not more than ten days from the date thereof; and upon the filing of said statement and report in the office, or offices, and in the form as now provided by said act, the said candidate shall be entitled to assume the office to which he may have been elected at such election, and shall be restored to any office of profit or trust under the laws of this State which may have been forfeited by him by reason of the failure to file such statement and report within the time required by said act.

Supplement of May 13, 1912, P. L. 1912, p. 927.

441. SEC. 1. In the year in which a President of the United States is to be elected, the State conventions which are now required to meet on the Tuesday following the primary election in each year, shall severally nominate for their respective parties, such number of candidates for electors of President and Vice-President of the United States as this State shall be entitled to elect or appoint. Such nominations shall be certified in the manner provided by the act to which this is a supplement, and all subsequent proceedings therein shall be in conformity with the various provisions of said act and the supplements thereto, so far as the same are applicable. The names of the candidates for President and Vice-President for whom such electors are to vote may be included in the certificate. Said conventions may appoint a committee to whom shall be delegated the power to fill any vacancies occasioned by any cause. The candidates for electors shall be amenable to chapter 188, laws of 1911. The State committee of their party may be their agent for the purposes mentioned in the first section of said act, or they may designate such other agent or agents as they see fit and such agent or agents shall comply with all requirements of said chapter 188, laws of 1911.

CHAPTER 65, LAW OF 1914.

An Act to authorize the Governor to make temporary appointments of Senators of the United States for this State when vacancies occur otherwise than by the expiration of their terms of office.

BE IT ENACTED *by the Senate and General Assembly of*

the State of New Jersey:

442. SEC. 1. The Governor of this State hereby is authorized and empowered to make temporary appointments of Senators of the United States from this State

whenever vacancies shall occur by reason of death, resignation or for any cause other than the expiration of their terms; and such appointees shall serve as such Senators until a special election or general election shall have been held pursuant to law, and the Board of State Canvassers can deliver to their successors certificates of election.

2. This act shall take effect immediately.

Approved March 26, 1914.

CHAPTER 197, LAWS OF 1914.

A Supplement to an act entitled "An supplement to an act entitled 'An act to regulate elections (Revision of 1898),' approved April fourth, one thousand eight hundred and ninety-eight, which supplement was approved April nineteenth, one thousand nine hundred and eleven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

443. SEC. 1. Hereafter, whenever any question or proposition shall be submitted to the people of the State at any primary, special or general election, there shall be mailed to each registered voter in the same envelope with the sample ballot, and in the manner provided in the act to which this is a supplement for the mailing of sample ballots a printed copy of the act of the Legislature or constitutional amendment which is so submitted. When the act of the Legislature submitted is an amendment or supplement to a statute of this State, there shall be printed and mailed to each registered voter as hereinbefore provided, in addition to the copy of the act submitted, such portion of the statute to which the same is an amendment or supplement as shall be necessary to clearly disclose to the

voter the relation of the act submitted to the existing statute law. When a constitutional amendment is submitted, there shall be printed and mailed to each registered voter as hereinbefore provided, in addition to the copy of the constitutional amendments submitted, such portion of the constitution as shall be necessary to clearly disclose to the voter the relation of the amendment submitted to the existing constitution. Whenever, under the provisions of this act, it shall be necessary to mail to the voters any portion of the statute law of the State, or any portion of the State constitution, it shall be the duty of the Attorney-General to designate by writing filed with the Secretary of State what portion of the statute law or State constitution shall be so printed or mailed. The Attorney-General, in place of or in addition to designating any portion of the statute law or State constitution to be so printed and mailed, may if he deem proper make a summary statement of the existing law or constitutional provisions upon the subject so far as necessary to inform the voters of the effect which the adoption or rejection of the question or proposition submitted to them will have upon said statute law or State constitution, and the mailing of such summary statement shall be a compliance with the provisions of this act. Whenever an amendment to the constitution or to a statute is mailed as aforesaid, such part thereof as is new and is not contained in the then existing constitution or statute shall be underscored, and if any portion of the existing law or constitution is to be omitted in the proposed amendment, such portion shall be enclosed in brackets in the printed copies of the existing law or constitution so mailed; and there shall be annexed a note explaining the significance of the brackets and underscoring.

444. The Secretary of State shall cause to be printed, and at least ten days before any primary, special, or general election at which any question or proposition is to be submitted, shall deliver to each county clerk a number of copies of the printed matter to be mailed as hereinbefore required, at least twenty per centum greater than the number of registered voters in the county. Each

county clerk shall notify the Secretary of State of the number of copies required for his county.

445. The boards, bodies or officers now charged with the duty of defraying the expenses of conducting primary, special, and general elections shall pay any additional expense made necessary by or provided for in this act.

446. All acts and parts of acts inconsistent herewith are hereby repealed.

5. This act shall take effect immediately.

Approved April 15, 1914.

CHAPTER 19, LAWS OF 1915.

An Act to repeal certain acts and parts of acts relating to elections.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

Act repealed.

447. SEC. 1. The act entitled "A supplement to an act entitled 'A further supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight,' which further supplement was approved April fourteenth, one thousand nine hundred and three," approved October twenty-eighth, one thousand nine hundred and seven, be and the same is repealed hereby.

Section 36
repealed.

448. SEC. 2. Section thirty-six of the act entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),' approved April fourth, one

thousand eight hundred and ninety-eight," approved April nineteenth, one thousand nine hundred and eleven, be and the same is repealed hereby.

3. This act shall take effect immediately.

Approved, February 26, 1915.

CHAPTER 132. LAWS OF 1915.

A Supplement to an act entitled "A supplement to an act entitled 'An act to regulate elections (Revision of 1898),' " which supplement was approved April nineteenth, one thousand nine hundred and eleven.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

449. SEC. 1. The register of voters, also known as "Signature Copy" provided for in the act to which this act is a supplement, shall contain three certificates, to be known as "Certificates of Registration." A. The certificate of registration to be made out at the close of the first day of registration shall be arranged to give the following information: The name of the county and municipality, the ward number and the election district number wherein the registration is being held; the number of names registered under each letter and the total number of names registered on the first day of registration; the certificate of the board of registry and election and shall have printed thereon "To be filled out at the close of the first day of registration." B. The certificate of registration to be made out at the close of the second day of registration shall be arranged to give the following information: The name of the county and municipality, the ward number and

Certificates
in signa-
ture copy.

Certificate
"A."

Certificate
"B."

the election district number wherein the registration is being held; the total number of names on the "signature copy" at the close of the first day of registration; the number of names added and the number of names erased under each letter and the total number of names on the "signature copy" at the close of the second day of registration; the certificate of the board of registry and election and shall have printed thereon "To be filled out at the close of the second day of registration."

Certificate
"C."

C. The certificate of registration to be made out at the close of the third day of registration shall be arranged to give the following information: The name of the county and municipality, the ward number and the election district number wherein the registration is being held; the total number of names on the "signature copy" at the close of the second day of registration; the number of names added and the number of names erased under each letter and the total number of names on the "signature copy" at the close of the third day of registration; the certificate of the board of registry and election and shall have printed thereon "To be filled out at the close of the third day of registration." At the close of each day of registration the board of registry and election shall make out the proper certificate of registration in the "signature copy" and shall forthwith also file in the office of the municipal clerk a duplicate copy of said certificate of registration. The board of registry and election shall certify over their signatures on said certificates of registration that said statement is true and correctly made out.

Duplicate
filed with
municipal
clerk.

Approved, March 31, 1915.

CHAPTER 195, LAWS OF 1915.

A Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

450. SEC. 1. A member of a State or county committee of any political party may resign his said office to the committee of which he is a member, and upon an acceptance thereof by the committee a vacancy shall exist.

*Resignation
of state or
county com-
mitteemen.*

451. SEC. 2. Vacancies in the office of a member of the State or county committee of any political party, caused by death, resignation or otherwise, shall be filled for the unexpired term by the county committee of such political party in the county in which such vacancy shall occur.

*Filling
vacancies.*

SEC. 3. This act shall take effect immediately.

Approved, April 6, 1915.

CHAPTER 301, LAWS OF 1915.

A Supplement to an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

452. SEC. 1. Whenever the voters of two or more municipalities in the same county shall vote to consolidate and form a city by virtue of any act of the Legislature of this State, and, by reason thereof said municipalities are to become a city on a certain date, the first

*Election of
first officials
of consoli-
dated muni-
cipalities.*

Nominated at
primaries.

Holding
elections.

Election law
applicable.

County clerk
to furnish
election
equipment.

set of officers and officials of said city shall be elected within the limits of the said municipalities at the general election, at which members of the General Assembly are to be elected, in the November immediately preceding the date on which said municipalities are to become a city, and said officers and officials shall be nominated at the primary election in the September immediately preceding said general election as provided in an act entitled "An act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplemental thereto, and the charter of said city, and said elections shall be held at the polling places designated in the manner provided in the act providing for the formation of said city. The primary election and the general election for all city, county, State and National officers, officials and representatives, within the municipalities that are to become a city, shall be held at the polling places within the election districts and wards fixed and determined in the manner designated in the act providing for the formation of said city, so that there will be but one primary election in said month of September and one general election in said month of November within the territory of said municipalities for the officers and officials of said new city, and for all county, State and National officers, officials and representatives.

453. SEC. 2. All petitions of nominations, acceptances thereof, appointment of committees and statement of contributions and expenses as required by the provisions of an act entitled "An Act to regulate elections" (Revision of 1898), approved April fourth, one thousand eight hundred and ninety-eight, and the acts amendatory thereof and supplemental thereto, for said primary election and said general election shall be filed with the clerk of the county in which said municipalities are located and certificates of election issued by him to the successful candidates at said primary election and general election, which said certificates shall be filed with the clerk of said city on the date set for said municipalities to become a city. Said county clerk shall prepare and deliver all books and records for

registry of voters as well as all ballots, booths, books and other equipment to be used in said municipalities for registry of voters and the nomination and election of said officers and officials of the city so formed at said primary and general election, and the expenses thereof, when itemized and sworn to by said county clerk, shall be paid by said city.

Expenses
met by city.

454. SEC. 3. It shall be the duty of the board of elections of the county wherein said municipalities are located to appoint and provide proper election officers at the various polling places, designated in the manner provided in the act providing for the formation of said city, to register voters and properly conduct said primary election and said general election and perform the usual duties required of such officers by the laws of this State. Said election officers shall receive the usual compensation for the services rendered by them as herein provided.

County board
of elections to
provide elec-
tion officers.

455. SEC. 4. If any section, part or provision of this act be questioned in any court and be held to be unconstitutional, or invalid, such decision shall in no way affect any other section, part or provision of this act.

As to consti-
tutionality of
any section
of act.

456. SEC. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealer.

6. This act shall take effect immediately.

Approved, April 14, 1915.

CHAPTER 203.

A Supplement to an act entitled "An act to regulate elections (Revision of 1898)," approved April fourth, one thousand eight hundred and ninety-eight.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Candidacy
member of
board of elec-
tion vacates

457. SEC. 1. The office of a member of a district board of registry and election in any election district in this State shall be deemed vacant upon such member becoming a candidate for any office to be voted upon at the primary or general election at which it shall be his duty to serve, said candidacy to be determined by the filing of a petition of nomination, duly accepted by such member, in the manner provided by law.

office.
vacancy.

2. It shall be the duty of the municipal or county clerk with whom such petition and acceptance may be filed to forthwith notify the judge of the Court of Common Pleas of the county in which said election district is located, giving the name and residence of the member of the district board of registry and election who has become a candidate as provided in the first section of this act, and the vacancy shall be filled as provided by law.

Approved March 18, 1916.

Constitution of the United States

ARTICLE XVII.

United States Senators to Be Elected by the People.

458. SEC. 1. The Senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each State shall have the qualifications requisite for election of the most numerous branch of the State Legislature.

Whenever vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies, provided that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution.

New Jersey Constitution

ARTICLE II.

Right of Suffrage.

549. SEC. 1. Every male citizen of the United States of the age of twenty-one years, who shall have been a resident of this State one year, and of the county in which he claims his vote five months, next before the election, shall be entitled to vote for all officers that now are or hereafter may be elective by the people; (a) *provided*, that no person in the military, naval, or marine service of the United States shall be considered a resident in this state by being stationed in any garrison, barrack, or military or naval place or station within this state; and no pauper, idiot, insane person or person convicted of a crime which now excludes him from being a witness, unless pardoned or restored by law to the right of suffrage, shall enjoy the right of an elector; (b) and provided further that in time of war no elector in the actual military service of the state, or of the United States in the army or navy thereof, shall be deprived of his vote by reason of his absence from such election district; and the legislature

(a) The residence required to entitle a person to vote means his fixed domicile or permanent home, and as not changed or altered by his occasional absence with or without his family. *Oadwalader v. Howell*, 8 *Harrison* 188.

(b) The above constitutional provision was adopted in 1844. At that time the statute disqualifying witnesses provided "that no person who shall be convicted of blasphemy, treason, murder, piracy, arson, rape, sodomy, or the infamous crime against nature, committed with mankind or with beast, polygamy, robbery, conspiracy, forgery, or larceny above the value of six dollars shall in any case be admitted as a witness unless he or she be first pardoned; and no person who shall be convicted of perjury, or of subornation of perjury, although pardoned for the same, shall be admitted as a witness in any case."

shall have power to provide the manner in which, and the time and place at which, such absent electors may vote, and for the return and canvass of their votes in the election district in which they respectively reside. (a).

SEC. 2. The legislature may pass laws to deprive persons of the right of suffrage who shall be convicted of bribery.

(a) The right to vote, secured by the constitution, can only become operative by legislation; and any reasonable legislation regulation for the purpose of securing an enforced secrecy of the ballot is not a deprivation of a right to vote. *Ransom v. Black*, 28 Vroom 446. School trustees are officers within this article of the constitution, so that, if they are made elective by the people, only *male* citizens can vote for them. *Kimball v. Hindes*, 28 Vroom 307. A statute cannot confine the right to vote for road commissioners to the freeholders of the district, nor extend it to females or to non-residents of the district. *Allison v. Blake*, 28 Vroom 6. An election held in accordance with a statute which prohibits from voting a large class of persons having a constitutional right to vote, does not confer a legal title to the office upon the person elected. *Allison v. Englewood*, 29 Vroom 140.

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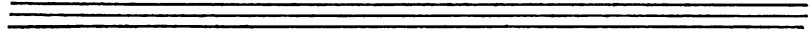
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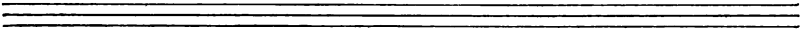
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INSTRUCTIONS
TO
OFFICERS AND VOTERS



Instructions Relative to the Duties of Officers and Voters

(Text of Law to Be Consulted in all Cases.)

I. DATES OF GENERAL AND PRIMARY ELECTIONS.

The general election is held annually on Tuesday next after the first Monday in November. *Section 1.* General Primary Election on fourth Tuesday in September. *Section 349.*

II. THE GOVERNOR.

The Governor shall commission two members of each county board of election, annually, upon the nomination, if made within the month of June, of the chairmen of the State committee of the two political parties. If the chairmen fail to nominate, the Governor shall commission men of his own selection. The appointment is made in the month of July of each year. *Section 13.*

In case of death or disability of any member of a county board of registration, the Governor shall cause notice of such death or disability to be given to the chairman of the proper political party. *Section 13.*

The Governor shall be chairman of the State board of canvassers. *Section 119.* (See *State Canvassers.*)

In case of contest of election of Governor, the matter is tried and determined before a committee of the Senate and General Assembly. *Sections 141 to 152.*

The Governor shall be a member of State convention in each year when no Governor is to be elected. *Section 381.*

Party's candidate for Governor shall be member of State convention. *Section 381.*

III. THE SECRETARY OF STATE.

The Secretary of State, at least fifteen days before the general election, shall make and certify to the county clerks of the several counties a statement of all the candidates nominated in any certificate or petition filed with him; and also of the names of the candidates for President and Vice-President of the United States, if any such have been included, &c. *Section 43.* (See *Form No. 4.*) He shall also certify to the county clerks the names of candidates nominated to fill vacancies. *Section 45.*

Thirty days before primary election voters may file petition with Secretary of State for the purpose of nominating candidates for Governor and for United States Senator, at least one thousand petitioners necessary. *Section 354.* Thirty days before primary election not less than two hundred voters may petition Secretary of State to nominate member of Congress in any district not confined to a single county. *Section 354.* Secretary of State shall canvass result of primary election to choose candidates for Governor, for United States Senator, and for member of Congress not wholly within a single county, and shall certify such names to the clerk of each county interested. *Section 355.*

The Secretary of State shall cause to be printed, and at least ten days before any primary, special or general election at which any question or proposition is to be submitted, shall deliver to each county clerk the necessary number of copies of the printed matter designated by the Attorney-General. *Sections 444 and 445.*

IV. COUNTY CLERK.

The county clerk shall file in his office the official oaths or affirmations of the county board of elections and of the boards of registry and elections. *Section 16.*

He shall pass upon the validity of objections to certificates of nominations filed with him unless an order shall be made in the matter by a court. *Section 46.* He shall select name or title in case of party division, or when two or more conventions of the same party claim to be regular. *Section 40.* When a candidate declines a nomination, the clerk shall notify the chairman and secretary who signed the certificate, or five of the persons who signed the petition of nomination. *Section 44.* He shall, within five days before election, certify to the Secretary of State all candidates for State Senate and General Assembly. *Section 42.* (See *Form No. 5.*)

He shall deliver canvassing, poll, registry and instruction-books, blanks for oaths and returns, &c., to the boards of registry and election. *Section 61.*

He shall have ballots in his possession at least five days before the election. *Section 53.*

He shall not print on the ballots the name of any candidate who fails to accept his nomination (*Section 42*) nor the name of any candidate who declines his nomination. *Section 44.* He shall allow the ballots to be inspected and examined by candidates and their agents, and when mistakes are discovered shall cause new ballots to be printed without delay and shall destroy inaccurate or incomplete ballots. *Section 53.*

The county clerk, within fifteen days after receiving from the Secretary of State notice of the election of a State Senator, Governor, electors of President and Vice-President, United States Senator, or members of the House of Representatives, shall cause a certified copy of the notice to be delivered to the clerk of each township and municipality in the county. *Section 5.* He shall also, between August 1st and September 1st in each year, when a sheriff, coroner, county clerk, register of deeds or surrogate is to be elected, cause to be delivered to each township and municipal clerk in his county a notice of the election of such officer. *Section 6.* (See *Form No. 2.*)

He shall be clerk of the county board of canvassers. *Section 102.* Shall lay before such board all statements of election received by him and obtain missing statements by special messenger or otherwise. *Sections 103, 106.* Special messengers, when employed, shall be commissioned, in writing, and shall exhibit their commissions to the persons to whom they shall apply for such statements. *Section 124.* (See No. 25.) All statements produced and laid before the county board of canvassers shall be filed by him. *Section 116.* He shall also file the determination of such board (*Section 111*), and shall deliver a copy of such determination, certified under his hand and the county seal, to each person declared to be elected as State Senator, Assemblyman, sheriff, coroner or other county officer. *Section 114.* He shall also send a similar certified copy to the Secretary of State within five days after the meeting of the board. *Section 114.* He shall also file the certificate of any Justice of the Supreme Court made on a recount of votes, and send a certified copy thereof to the Secretary of State within five days, and deliver a like certified copy to the person declared elected. *Section 160.*

Vacancies in the office of the county clerk are filled at the general election next succeeding the happening thereof. *Section 139.*

The county clerk shall audit and approve itemized bills for costs, changes and expenses. *Section 180.*

Twenty-five days before primary election, not less than two hundred voters, in any Congressional district lying wholly within a single county, may file with the county clerk a petition to nominate candidate for Congress for primary election. *Section 354.* County clerks shall canvass returns of primary election for members of Congress in districts lying wholly within a single county. *Section 355.* County clerks shall transmit to Secretary of State the results of primary election for Governor, United States Senator, and for members of Congress lying in districts wholly within a single county. *Section 355.* County clerks shall print the names certified to him by the Secretary of State as having been nominated for Governor, United States Senator, and for member of Congress, on the official ballot. *Section 355.* County clerks shall, in all municipalities of more than ten thousand population, forthwith cause copies of registry lists to be printed and supply not less than five copies of such lists to each election district and to the chief of police hereof, and shall also furnish copies of such list to anyone applying for them, charging therefor. *Section 361.* County clerks shall, ten days before election, furnish municipal clerks with a sufficient number of sample ballots and stamped envelopes. *Section 375.*

V. TOWNSHIP, CITY AND MUNICIPAL CLERKS.

The clerk of every municipality shall, at least two weeks preceding the primary election, hereinafter provided for, cause a notice to be published in not more than two newspapers of the county wherein such municipality is situate, as said clerk shall select, setting forth that he boards of registry and election in and for each election district in such municipality will meet for the purpose of making a registration of voters on the days and between the hours hereinafter designated for that purpose; and that a primary election for making nominations will

be held on the day and between the hours and at the places as provided in this act, and making known the time, place and purpose of holding the special, municipal or general election thereafter, and any election consolidated therewith, and the office or offices to be filed thereat (see *Form No. 3*); said notice shall be published in such newspaper or newspapers at least once, and not more than twice, in each week; *provided*, that if there be a newspaper printed and published in such municipality, said newspaper shall be one of the newspapers so selected by the municipal clerk; at least two weeks preceding the special, municipal or general election, and any election consolidated therewith, the municipal clerk shall cause a notice to be published in like manner under his hand setting forth the time, place and purpose of holding such special, municipal or general election, and any election consolidated therewith, and the office to be filed thereat; in municipalities having more than fifteen thousand population, said notices in the newspaper or newspapers selected, shall include a short description of the boundary lines of each election district therein, and the place of meeting of the board of registry and election. *Section 7.*

The township or municipal clerk shall file all statements of election delivered to him by any board of election. *Sections 94, 96.* He shall also have the custody of the ballot-boxes after election, but not of the keys thereto. *Sections 67, 99.* In cities, each city clerk shall keep a record of the exact time of the delivery to him of each ballot-box, and of the election officers and persons making the delivery. *Section 99.* He shall, in cities having over 10,000 inhabitants, also publish notice of meetings of district boards to prepare registers for charter elections. *Section 28.*

In township or municipal elections, the township or municipal clerk is required to discharge the same duties as are devolved in other elections upon the county clerk in the matters of selecting names for parties in cases of division, or two or more conventions (*Section 40*); when a candidate declines a nomination (*Section 44*); and in passing upon objections to certificates of nomination. *Section 46.* For such elections he shall also furnish at his office the necessary canvassing-books, poll-books, registry-books and blanks. *Section 62.*

If the official ballots are not delivered at the time specified, or should be destroyed or stolen, and other official ballots cannot be obtained in time, he shall cause other ballots to be prepared, &c. *Section 55.*

He shall also provide, before the date of the first meeting of the board of registry and election, a suitable room in each election district in which to make and revise the register of voters and to hold the election, and give notice of the location thereof to the board of election (*Section 8*; see *Form No. 6*); shall have the booths or compartments, &c., constructed therein, as described, and shall provide the same with lights so that they may be kept at all hours well and sufficiently lighted. *Sections 78, 79.* He may, if in his judgment it is best to do so, cause booths to be erected in the street; but elections shall not be held in any bar-room. *Section 8.*

He shall, on the day preceding the election and on Saturday preceding when the election is on Monday, deliver each sealed package of ballots received by him from the county clerk, to one of the clerks of each election district in his township or municipality for which the same has been prepared, and shall take a receipt therefor. *Section 54.*

He shall also audit and approve itemized bills for costs, charges and expenses. *Section 180.*

Said clerks shall preserve poll-books and primary books, and shall deliver the same to district board of registry and election for use on

registry day of the following year. *Section 345.* Said clerks shall deliver suitable registry books for primary day. *Section 345.* They shall furnish sample ballots and stamped envelopes one week before primary day. *Section 346.* Municipal clerks may be requested by any candidate regularly nominated for primary election, to print not more than six words on the primary ticket indicating any official policy he may be pledged to. *Section 352.* They shall deliver to district board of registry and election, sample ballots and stamped envelopes on or before Tuesday preceding general election day. *Section 375.*

He shall furnish for each election district an American Flag to be displayed during the hours when the boards of registry and election are in session. *Section 437.*

VI. GOVERNING BOARDS OF MUNICIPALITIES.

Governing boards of municipalities shall adjust boundary lines of election districts and file descriptions. *Sections 318, 319.*

Boards having charge of the finances of municipalities shall provide for the expenses of carrying out the provisions of Chapter 183, Laws of 1911 (Geran act). *Section 327.*

VII. CHAIRMAN OF STATE COMMITTEE.

The chairman of the State committee of each of the two largest political parties may nominate two citizens in each county as members of the County Board of Elections. *Section 13.*

VIII. CHAIRMAN OF COUNTY POLITICAL COMMITTEES.

The chairman of each county committee of political parties entitled to nominate candidates at direct primaries shall certify list of names from which are appointed members of the district board of registry and election, to the Civil Service Commission on or before the first day of May. *Section 321.* He shall give notice of annual meeting. *Section 382.*

IX. COUNTY COMMITTEE.

Members of county committee of each political party are to be elected at the primary election (*Section 245*) and shall take office on the first Tuesday following their election. *Section 332.*

X. STATE COMMITTEE.

At the September primaries of the year, wherein a Governor is to be elected, a member of the State committee of each political party shall be elected in each county. The term of office of said members shall be three years. *Section 381.*

XI. CIVIL SERVICE COMMISSION.

It shall have charge of the examination of candidates for members of the district board of registry and election. *Sections 320 to 326, inclusive.*

XII. JUDGES OF COURT OF COMMON PLEAS.

Judge of the Court of Common Pleas shall receive from the Civil Service Commission certificate of names of persons eligible for appointment on district board of registry and election before twentieth day of August. *Section 322.*

Such judge or judges shall preside at the drawing for members of the district board and direct the proceedings. *Section 323.*

Such judge or judges shall fill all vacancies arising in district board of registry and election. *Section 324.*

Such judge or judges, or any judge hearing a case in the Circuit Court, shall hear complaints regarding the fitness or eligibility of persons chosen to serve on county boards and summarily determine such questions. *Section 326.*

Judge of Court of Common Pleas to review action of county board in revising primary list. *Section 348.*

Judge of Court of Common Pleas or Justice of Supreme Court may issue certificates directing the transfer of a voter from the registry list in one district to that of another. *Section 368.*

He shall have power to hold Court of Common Pleas on the day preceding election to revise and correct the registry lists. *Section 279.*

And on election day to inquire in a summary way whether voter whose vote has been refused or rejected by any district board of election is entitled to vote in such election district. *Section 280.*

XIII. NOMINATIONS OF CANDIDATES.

Different Methods of Nomination—

Candidates of all political parties which, at the last election, cast five per cent. or more of the total number of votes, shall be nominated at primaries conducted at public expense. (*See Primary Elections.*) Par-

ties casting more than two per cent. and less than five per cent. may be nominated by party convention. *Section 38.* Those parties casting less than two per cent. may nominate by petition. *Section 41.*

By Petition of Legal Voters—

Candidates for State offices, and for offices in a political division less than the State, may also be nominated and have their names printed upon the official ballot upon petition signed by legally qualified voters equal in number to at least two per centum of the entire vote cast for members of the General Assembly at the last preceding general election in the State, county, district or other political division; *provided*, that no more than eight hundred names shall be required for each candidate named for a State office, and not more than one hundred names for any candidate for any office in a political division less than the State, and that in case of a newly-established election district, county, city or other political division, fifty signatures shall be sufficient to a petition nominating candidates for the first election. *Section 41.* (See *Form No. 10.*)

Vacancies—How Filled—

To fill vacancies, when a candidate declines or dies before election, or the certificate of nomination is insufficient or inoperative, the nomination shall be made in the manner required for original nominations. *Section 45.* (See *Forms Nos. 9 and 11.*

Committees, when so empowered by conventions, may fill such vacancies. *Section 45.*

When Certificate of Nomination Shall be Filed—

All nominations, whether by convention or by petition, shall be certified in form prescribed (*Sections 39, 41; see Forms Nos. 8, 9, 10 and 11*) and shall be filed as follows: For State officers and members of Congress, in districts embracing more than one county, with the Secretary of State twenty-five days before election; all certificates and petitions naming candidates to be voted for by all the voters of a single county or more than a single political division thereof, or where candidates for city offices are to be voted for upon the county ticket, shall be filed with the clerks of the respective counties wherein the officers nominated are to be voted for at least thirty days prior to such election; all other certificates and petitions shall be filed with the clerks of the respective municipalities wherein the candidates nominated are to be chosen at least twenty-five days before the election whereat they are to be voted for. *Section 42.*

Amendment of Certificates and Petitions—

Certificates and petitions of nomination may be amended, in form or substance, at any time after having been filed, not later than five days before the election. *Section 235.*

Acceptance of Nomination—

Candidates must accept their nominations in writing and file the acceptances with the certificates of nomination. *Section 42.* (See *Forms Nos. 8, 9 and 10.*)

When Nomination by Petition or Certificate Is Not Required—

Generally, candidates must be nominated by petition or certificate. They must be so nominated in all general elections, and in all charter, local or special elections, held in the cities and towns of this State, and in all other municipalities having by the last State or federal census a population exceeding 8,000 inhabitants. Such nomination, however, is not required for annual township elections, nor for the charter, local or special elections held in those municipalities (exclusive of cities and towns) which have a population of 8,000 inhabitants or less. *Compare Sections 85 and 234.*

Certificates Open to Public Inspection—

All certificates and petitions, when filed, shall be open to public inspection, and shall be preserved one year. *Section 42.*

XIV. OFFICIAL BALLOTS.

When Required and When Not Required to Be Used—

Official ballots are required to be used at all general elections. (See *Sections 48, 369.*)

Printed and Distributed at Public Expense—

All ballots to be cast at any general election, and any local, charter or special election in any city in this State shall be printed and distributed at public expense. *Sections 48, 234.* Sample ballots mailed each voter before election. *Section 375.* Blanket ballots to be used. *Section 369.*

How Ballots Shall Be Printed—

All ballots shall be printed with black ink on plain white paper of such thickness that the printing thereon cannot be distinguished from the back. They shall be of uniform size, quality of type and without any mark, word, device or figure thereon. *Sections 369 to 376.*

For arrangement of ballot, size of type, etc., see *Sections 370 to 371.* Each ballot shall have at the top thereof a perforated coupon to be prepared as provided in *Section 373*, and also as provided in this section, each ballot shall have at the top thereof the words "Official Ballot," etc., together with the facsimile signature of the county clerk. When questions are to be voted on, they shall be printed as provided in *Section 374.*

Sample Ballots—

County clerks shall, ten days before election, or such day as may be fixed by law for holding a special election throughout the county, furnish to each municipal clerk, a sufficient number of official sample ballots, together with a sufficient number of one-cent stamped envelopes

to enable each of the boards of registry and election to mail one copy of the official sample ballot to each registered voter in his district, and the municipal clerk shall deliver said ballots at his office on or before Tuesday preceding the general or special election, to the clerk of the board of registry and election, and the said board shall prepare and deposit in the post-office, before 12 o'clock, noon, on the Wednesday preceding election day, an envelope containing one said sample ballot addressed to each registered voter in the district. The said sample ballots shall be, as nearly as possible, a facsimile of the official ballot, but shall be printed on paper of different color with the words: "This ballot cannot be voted; it is a sample copy of the official ballot used on Election Day," printed in large type at the top. See *Section 375*.

How and When Ballots Shall Be Delivered—

The ballots shall be printed and in possession of the county clerk at least five days before the election (*Section 53*), and shall be delivered to the clerk of each township, city or other municipality three days prior to the election, in sealed packages, clearly addressed on the outside, stating the election district for which each package is intended and the number of ballots and envelopes enclosed. The township or municipal clerk (as the case may be) shall, on the day before the election on Saturday before when election takes place on Monday), deliver to one of the election clerks in each district the package of ballots addressed to his district and the election clerk is required to deliver the package, with the seals unbroken, to the election board on the morning of the election before the polls are opened. In all cases when packages of ballots are delivered the clerks are required to give and take receipts therefor, and to file or preserve the receipts. *Section 54*. (See *Form No. 20*.)

Shall Be Subject to Inspection, and Shall Be Reprinted if Mistakes Are Discovered—

The ballots, while in possession of the county or municipal clerk, are subject to inspection and examination by the candidates and their agents; if any mistake is discovered, the clerk is required immediately to destroy the incorrect or incomplete ballots and cause new ballots to be printed in their stead. Summary proceedings may be taken before a Justice of the Supreme Court to require the clerk to comply with the law in this regard. *Section 53*.

If Not Delivered in Time, or Lost or Stolen, Township or Other Clerks Shall Provide—

If the official ballots shall not be delivered at the time specified or should be destroyed or stolen, or the official supply shall be exhausted and other official ballots cannot be obtained in time for the election, the township or other municipal clerk, or the election board (as the case may require), shall cause other ballots to be prepared in the form prescribed, omitting the endorsement at the top, and the board of election shall use the same at the election. A statement of the facts shall be made, under oath, by the person preparing the new ballots. When the official ballots, or either of them, for the reasons named, are dispensed with, the mode and manner of voting shall, in all respects, conform to the requirements of the law. *Section 55*.

XV. COUNTY BOARDS OF ELECTION.

Appointment—

The county board of elections shall consist of four persons, to be commissioned by the Governor, upon nomination of the chairmen of the two largest political parties, provided the nominations are made in the month of June, otherwise the Governor may appoint men of his own selection. Vacancies caused by death or disability shall be filled for the unexpired term. *Section 13.*

Term—

The terms of office of members of the County Board of Elections are two years.

The terms of office of members expiring on August 1st in each year. *Section 13.*

Oath—

Each member, before entering upon the performance of his duties, is required to take and subscribe an official oath, after which he can administer, at any meeting of the board, any oath or affirmation required or permitted by the Election law. *Section 16. (See Form No. 16.)*

Office—

The board of chosen freeholders shall provide the county board of elections with a suitable office and furniture, in the county court house, or in a building at the county seat as near as possible to the court house. *Section 12.*

Organization—

On the first Tuesday in August, or on such other day as the board may agree on within the first ten days in August, the county board shall meet at the county court house, or other place provided for them, and organize by selecting a chairman and secretary, who shall not be of the same political party. Failing, after three ballots, to elect, the oldest member in years shall be chairman and the next oldest, not of the same party, shall be secretary. *Section 14.*

Appointment of District Boards—

County boards of election shall choose district boards by lot. *Section 323.*

Revision of Primary Lists—

County board of election shall meet on Friday succeeding first registry day to revise primary list. *Section 348.*

XVI. DISTRICT BOARD OF REGISTRY AND ELECTION.

Members Not Eligible to Other Offices—

No election officer shall be elected to any office to be filled at the election in which he shall serve. *Section 84.*

How Appointed—

The district boards of registry and election shall consist of four persons, to be chosen in the following manner: The county board of elections or some person appointed by the judge of the court of common pleas for this purpose, shall choose by lot on or before August twenty-fifth, from a list of eligible candidates submitted by the Civil Service Commission, four persons, two being from each of the political parties casting the highest and next highest number of votes for members of the General Assembly at the last election. The eligible list shall be prepared as provided for in the *321st, 322nd and 323rd sections* of the act, which should be carefully read. The chairmen of each of the county committees of said political parties shall, on or before the first day of May, nominate in writing to the Civil Service Commission a list of names. Five or more legal voters may also nominate candidates. *Section 321.* The Civil Service Commission shall examine the persons so nominated regarding their qualifications on or before the fifteenth day of August in each year and the said commission shall certify on or before the twentieth day of August, the names of the applicants whose examinations have been found satisfactory. *Section 322.*

Term and Oath—

The term of office shall be for two years from September first. *Section 325.* And an oath shall be taken before a duly authorized officer and filed in the county clerk's office. *Section 16.*

Vacancies—

Vacancies in the district board of registry shall be filled by the judge of the court of common pleas, as provided for in *Section 324.*

Vacancy on election day, *Section 17.*

Organization—

At its first meeting the district board shall organize by electing one member to be judge and one member to be inspector; the judge shall be the chairman of the board; the remaining two members of the board shall be its clerks. If the board fail to elect a judge after voting three times, the oldest member in years shall be judge, and if the board fail to elect an inspector after voting three times, the next oldest member of the board in years shall become inspector; provided, that both chairman and inspector shall not be nominees of the same chairman. *Section 19.*

Power to Administer Oaths—

After having duly qualified according to law, each member of the board is authorized, at any meeting thereof, to administer any oath or affirmation required or permitted to be taken by the Election law. *Section 16.*

First Meeting to Register Voters for the Primary and for the General Election in Districts Within Municipalities Above Ten Thousand Inhabitants—

The first registry day shall be on the second Tuesday in September, from one o'clock in the afternoon until nine in the evening. At this meeting a primary registry list, together with a separate registry list for the general election, shall be prepared, as provided for in *Section 345.*

Second Meeting to Register Voters for the General Election in Districts Within Municipalities Above Ten Thousand Inhabitants—

The second registry day shall be held on the fourth Tuesday in September, between the hours of seven o'clock A. M. and nine o'clock P. M., at which time shall also be conducted the primary election. (See *Primary Election*.) *Section 349.* Voters may register for the general election on this day, but not to vote at the primaries. *Section 349.*

Third Meeting to Register Voters for the General Election in Districts Within Municipalities Above Ten Thousand Inhabitants—

The third registry day shall be held on the Tuesday two weeks next two preceding the general election between the hours of one and nine P. M. *Section 352.*

First Meeting to Register Voters for General Election in Districts in Municipalities Having 10,000 Inhabitants or Less—

The board of registry and election shall meet annually on the second Tuesday of September, at the place designated by the township or municipal clerk (see *Section 347*), at 10 o'clock in the forenoon, and, having organized, shall proceed at once to ascertain by actual inquiry at every dwelling or habitation, or of the head of every family, the names and residences and street numbers of all legal voters within their district; they shall continue the enumeration from day to day, and shall complete the same on or before the following Friday. To facilitate the work the board may divide their district into subdivisions, and any two members, to be designated by the chairman, may, in company, make the enumeration in such subdivisions; but no name shall be entered upon the canvassing-book without the concurrence of both members. When the canvass is made by the whole board, a majority must concur to enter a name on the canvassing-book. *Section 23.*

Second Meeting to Register Voters for General Election in Districts in Municipalities Having 10,000 Inhabitants or Less—

On the fourth Tuesday of September the board shall meet at the place designated by the township or municipal clerk, at 7 o'clock A. M., and remain in session until 9 o'clock P. M., for the purpose of making two alphabetical lists of registers of the names of the voters and their places of residences and street numbers, if any, and also for the purpose of conducting the primary election. These lists shall be transcribed from the canvassing-books, and shall include also the names of all persons not on the canvassing-books, who shall personally appear before the board and show to its satisfaction that they are entitled to vote; and, also, of all persons who shall be shown, by the affidavit in writing of some voter in that election district, to be a legal voter therein. *Section 23.* (See *Form No. 7.*) When the lists are completed, the board shall certify on each of them, and announce publicly the number of names entered thereon. On the next day each of the clerks of election shall post, in a conspicuous place within the district, a list, in hand-bill form, of the names entered on the registers, with residences and street numbers, if any, certified by the board or a majority of them, to be correct copies of the original registers. *Section 24.*

Third Meeting to Register Voters for General Election in Districts in Municipalities Having 10,000 Inhabitants or Less—

On Tuesday next preceding the general election the board shall meet and remain in session from 1 o'clock P. M. to 9 o'clock P. M., to revise and correct the registers, and to add thereto the names of all persons entitled to vote in such district at the next general election, who shall appear in person, and of erasing therefrom the name of any person who, after a fair opportunity to be heard, shall be shown not to be entitled to vote. No name shall be added to or erased from the registers without the concurrence of a majority of the board. *Section 24.* When the registers are completed, the board shall publicly announce and certify on each register the number of names thereon, and on the next day succeeding this meeting the chairman of the district board shall deliver one of them to the county board of elections and the other he shall retain for use by the district board on election day. The chairman shall also designate one of the clerks to prepare a third copy of the register, which shall be certified, and the clerk shall, within the next two days, file the same with the clerk of the city, township or municipality. *Section 24.*

Provision When Local Election Falls on Registr Day for General Election—

Whenever the time fixed by law for holding any municipal, local or charter election falls on any day of registry for the general election, the registry shall take place on the day following such municipal, local or charter election. *Section 37.*

Registration of Voters in Municipalities Having Over 10,000 Inhabitants for Elections Other than General Elections—

In all such cities the district boards shall make, alter and revise the registers of voters for all elections other than general elections. New registers are not necessary where the election districts remain unchanged, but in such cases revision and correction only are to be made. Each board shall meet at the place designated by the city clerk on Tuesday four weeks next preceding the election, and finally on Tuesday two weeks before the election. Each meeting shall continue from 1 to 9 o'clock P. M. *Section 26.* The city clerk shall deliver to each district its register used at the preceding general election at least six weeks before the election, the city clerk having obtained the same from the county board of election seven weeks before the election. *Section 27.* The city clerk shall publish notice of the registration, including a short description of boundary lines of election districts and location of polling-places, at least two weeks before the first registration day in at least two newspapers. *Section 28.* The district boards shall add to the registers in the same manner as for general elections, and on the day succeeding the first registration day each of the clerks shall post in a conspicuous place a copy of the revised register, and on the day succeeding the second registration day the chairman shall deliver one copy thereof to the county board of elections and retain one copy for use by the district board on election day. *Section 26.*

Registration of Voters for Township and Local Elections in Districts in Municipalities Having 10,000 Inhabitants or Less—

No new registration is required within any district in any township, town or borough or other municipality outside of municipalities having over 10,000 inhabitants, for any township, charter, local or special election. In every such district the district board shall procure the copy of the register for the preceding election filed with the township or municipal clerk and use it, revising and correcting it in the manner provided for the revision and correction of registers in municipalities having over 10,000 inhabitants. Such boards shall meet for this revision and correction on the Tuesday next preceding the election, and each election clerk shall post at least three notices of the time and place of the meeting in conspicuous places at least one week before the meeting. No copy of the register need be posted, but on the day after the meeting one copy shall be filed with the county board of elections. *Section 29.*

Registration by Affidavit—

Whenever a voter is registered by affidavit, whether for a general election or for a township, town, borough, municipal, charter or local or primary election, a separate affidavit is required for each person registered. (See *Form No. 7.*) It must also contain the address of the affiant and be signed by him. All affidavits must be preserved by the judge of election until the completion of the registry, and then be delivered by him to the county board of election, who shall give a receipt for the same, stating the number received. The county board shall preserve the affidavits for six months. *Section 32.* Each district board shall register the name of every person who shall be shown by the affidavit of a voter residing within their election district to be lawfully entitled to vote. *Sections 23, 24, 26, 29.* They shall also register the name of every person who shall appear before them and satisfy them by an affidavit that he will, on the day of the next ensuing election, be entitled, under the constitution and laws of this State, to vote in that district. *Section 35.* No registration for general election by affidavit in municipalities above 10,000 population. *Section 359.* Any person prevented by illness or absence from the State from registering personally may register by affidavit on form to be procured from board of registry and election. *Section 366.* Persons in the employ of United States Government who have the right to and desire to exercise the rights of franchise may register by affidavit. *Section 439.*

The Proceedings Shall Be Open to the Public—

The proceedings of the board shall be open to the public, and all persons entitled to vote in the district shall be entitled to be freely heard in relation to the revision and correction of the registers. *Section 32.*

Certificate to Voter Who Has Removed—

No person shall vote at any general election in any election district other than the one in which he is registered, unless he shall appear before either the justice of the Supreme Court holding the circuit court in said county, or one of the judges of the Court of Common Pleas of said county, or one of the judges assigned to hold

the circuit court of said county, at the court house, or at such other place within each county as will be most convenient and accessible to the largest number of voters in said county, at which the said justice or judge, in his discretion, shall authorize, on or prior to the day of the general election, and shall make proof to the satisfaction of said justice or judge that he has moved from the election district in which he has registered since the day on which he did register, and that he has moved into another district in said county, and shall obtain from said justice or judge an order sealed with the seal of the county clerk, directing the board of registry and election to place the name of the said voter upon the registry of the said election district; said order shall be shown to the board of registry and election in which said voter is registered and said board shall thereupon erase his name from said register and issue a transfer as now provided by law, which transfer and the order of the court shall be filed by the voter with the board of registry and election in the election district where said voter desires to vote, and said board shall obey said order. *Section 368. (See Form No. 19.)*

Conducting General, Local, Township and Municipal Elections—

The board of chosen freeholders of each county is required to provide and keep in good repair ballot-boxes for use in the respective election districts, of the form prescribed by law, for both the general elections and the primary elections. *Section 60.*

In all elections, general, local or charter, the polls shall open at 6 o'clock in the morning and close at 7 o'clock in the evening, and shall be kept open during the whole of the day of election between the hours aforesaid, except that an adjournment may be had from 1 o'clock until 2 o'clock in the afternoon, or for a shorter time between those hours. *Section 4.* The decision of a majority of the board of election on any question shall be taken as the decision of the board, and final, any member, however, having the right to record and sign his dissent in the poll-book. *Section 90.*

The boards of registry and election shall hold and conduct all general, municipal, local and special elections to be held throughout this State. *Section 64.*

As soon as the election is opened, and before receiving any vote, the board of election shall make public proclamation of the opening of the election, and of their readiness to receive the votes of voters and exhibit the ballot-box, so that bystanders can see that there is nothing contained therein. *Section 66.*

The poll-book shall be kept by one of the clerks of election, who shall number and record the names and residences of the persons voting in the order in which their votes are received. The poll-book in municipalities below ten thousand, shall have a heading as follows: "Names of voters at an election held in _____ district of _____ in the county of _____, on the _____ day of _____, in the year of our Lord one thousand _____ hundred and _____, for _____" (naming the offices to be filled). *Section 67. (See Form No. 21.)*

For municipalities above ten thousand inhabitants, the poll-book shall have six columns, headed respectively: "Number of voter," "names of voters," "residence of voter," "signature or statement number of voter," "signatures compared," and "remarks." *Section 362.*

If they adjourn before the close of election, they shall state in the poll-book, immediately after the last name therein, in words written in full length, the whole number of the names of the voters in the poll-book, to which the members of the board shall sign their names (see *Form No. 22*), and shall unlock the ballot-box, secure the bar or bolt so

as to prevent the insertion of ballots; place therein the poll-book, and shut and lock the ballot-box. During the adjournment the ballot-box shall be kept in public view. *Section 77.* At the opening of the election the keys of the ballot-box shall be distributed amongst the members of the board of registry and election, each member keeping the key delivered to him until a statement of the result of the election shall have been made and certified as required by law. *Section 65.*

No person shall be allowed to vote whose name does not appear on the register (*Section 33*), except upon presentation of a certificate of removal after being registered in another district. (*Section 368, Form 19*).

The board shall challenge every person who shall claim to have a right to vote whom they shall know, suspect or believe not to be qualified or entitled to vote (see *Section 72*), and for the purpose of satisfying themselves as to the right of any person to vote they may examine him, and any other person or persons, under oath or affirmation. *Section 75.* For oaths administered in cases of challenge, see *Section 73.*

The board shall keep the election booths or compartment supplied with black lead pencils, and shall allow no person within the railed enclosure while the election is in progress, except the election officers, and voters entering the same for the purpose of preparing their ballots and voting. Also, they shall allow no person to be present in the polling-room outside the railed enclosure during the progress of the election, except the officers connected with the election, the candidates and their duly authorized agents, and the agents of the parties, such voters as are actually present for the purpose of voting and the officers duly appointed for keeping the peace. *Section 78.* The method of voting is set out in full in *Section 377.*

Preservation of Order at Polls—

It is the duty of the board to preserve the peace and maintain good order at the polling-place, and for that purpose they are invested with the powers and duties of constables, and they may request the municipal authority to detail one or more policemen to assist them. *Section 33.* They may also commit to the common jail of the county, for a period not exceeding three days, by an order in writing, any person who refuses to obey their lawful commands and who by disorderly conduct in their hearing or presence shall interrupt or disturb their proceedings, which order shall be executed by any sheriff or constable, or in case of the absence of the sheriff or constable, by any person deputed in writing for that purpose. *Section 186.*

Canvassing the Vote—

Immediately after closing the polls the clerk keeping the poll-book shall state, after the last name, in words written at full length, the whole number of the names of the voters in the poll-book, as follows: "The whole number of the names of the persons whose votes have been received during the election is ———." The members of the district board shall sign their names thereto. *Section 86.* (See *Form No. 23.*) The board shall then unlock the ballot-box and canvass the votes. The judge shall take the ballot from the box separately, read it publicly and deliver it to the inspector, who, being satisfied that the ballot was properly read, shall number the ballot on its back, and string the ballot. *Section 87.* Each clerk shall keep a tally-sheet. *Section 88.* The excess of ballots in the box over the number of names on the poll-book are void. All marked ballots are void. *Sections 58, 85.* All ballots on

which any name is written in ink or with pencil other than black, or on which pasters are used printed otherwise than with black ink on white paper, are void. *Sections 59, 85.* But if a voter marks more names than there are persons to be elected to office, and his choice cannot be determined, his ballot shall not be counted for such officer, but shall be counted for such other officers as are properly marked; such ballot to be marked "defective." *Sections 92 and 378.* No ballot wholly void shall be canvassed, estimated or numbered, but on all such ballots shall be written the words "rejected ballot," and shall then be strung on a different twine from the other ballots. *Section 91.* After all the votes shall have been read, examined, numbered and strung as directed, the board shall cast up the vote given for each person. *Section 88.* They shall then personally examine the tally-sheets, and if they find these sheets and the record of the canvass to be correct, shall sign the returns. *Section 89.* A plurality of votes is sufficient to elect, and a tie vote renders the office vacant. *Section 93.* When a question or proposition is to be voted on, "a majority of the legal voters" means a majority of the legal voters voting on such question or proposition. *Section 185.*

Statement of Result of General Election—

After the canvass has been made, the board of election shall make a statement of the result thereof, and a certificate thereto of the form prescribed by law. *Section 95.* No member shall sign such statement until after the completion of the counting of the votes and his personal examination of the tally-sheets to determine the result. *Section 89.* A copy of the same shall be made, signed and delivered to the township or city clerk, and a copy within two days to the county clerk. In the case of an election for Governor, or for members of the House of Representatives, or for electors of President and Vice-President, a copy shall also be made and signed, and sent by mail within two days to the Secretary of State. *Section 96.*

Statement of Result and Determination of Township or Municipal Elections—

In every township or municipality (other than cities) containing but one election district, the members of the district board of election, conducting any township, local or charter election therein shall, upon the close of the election, ascertain and determine what officers have been elected, sums of money voted or propositions adopted, and the result of the election in all other particulars; in every township or municipality containing more than one election district the members of the district boards of election conducting any such election shall meet on the day after holding the same, at the hour of two o'clock in the afternoon, at the polling place in the district in which the township or municipal clerk may reside, and when so met shall ascertain and determine in like manner the results of said election in said township or municipality; *provided*, that when such township or municipality contains more than two election districts, two members only from the board of election of each district, to be designated by the board, shall meet in like manner and ascertain the result of said election as above provided; such determination shall be written out and signed by the election officers making the

same, and forthwith delivered to and filed by the township or municipal clerk. *Section 24.*

The determination of the result of the city election is made by the county canvassers. *Sections 102, 111.*

Disposition of Ballot-box, Keys and Papers—

The ballots cast at the election, whether counted or rejected, the poll-list, the tally papers and all unused and all spoiled official envelopes, shall be deposited in the ballot-box, which, being locked and bound with tape and sealed, shall be delivered to the township or city clerk. In each city the city clerk's office shall be kept open for the reception of the ballot-boxes, and a record kept of the time of their reception and the names of the persons delivering them. *Sections 99, 358 and 377.* The checked register of voters used at the election shall be filed and the ballot-box keys shall be deposited with the county clerk. *Section 67.*

Mailing Sample Ballots—

District boards shall mail to every voter sample ballot before Wednesday noon preceding general election day. *Section 375.*

District board of registry and election shall mail sample ballots to every voter on Wednesday preceding primary day. *Section 346.*

Boards Shall Certify Results—

District boards shall certify result of primary election for nomination of Governor and for members of Congress to county clerk. *Section 355.*

Supply County Clerks With Registry Lists—

District board of registry and election shall furnish county clerk immediately after the close of the last day of registration in municipalities above ten thousand population, with a complete list of persons registered for the general election. *Section 361.*

XVII. PRIVILEGES AND DUTIES OF VOTERS.

May Attend Meetings of Board of Registry and be Heard—

Every voter is entitled to be freely heard in relation to the revision and correction of the registers, and for that purpose may attend the meetings of the board. *Section 32.*

Who May Vote—

Every male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this State one year, and of the county in which he claims his vote five months, next before the election, and who has also complied with the registration laws, and has not disqualified himself by any crime, has the right to vote. *Sections 68, 69, 71, 78 and 82.*

How He Shall Prepare His Ballot and Vote It—
See *Section 377.***May Vote Although His Name Has Been Checked—**

A legal voter whose name has already been checked as having voted may vote notwithstanding such checking, on satisfying the board that he has not previously voted. *Section 82.*

When and How He May Be Assisted—

See *Section 379. (Form No. 24.)*

Shall Not Exhibit His Ballot or Reveal Its Contents—

No voter shall, within the polling-room, show his ballot, after it has been prepared for voting, to any person in such a way as to reveal its contents. *Section 198.*

When a Naturalized Citizen Is Challenged—

If a naturalized citizen's right to be registered is challenged he is required to prove to the satisfaction of a majority of the board, by affidavit or otherwise, that he is entitled to vote in that district at the next election, or he shall produce his certificate of naturalization, or shall have been duly registered at a previous election in that district. *Section 73.*

Freedom from Arrest on Civil Process—

No person having the right to vote shall be arrested by virtue of any civil process on the day on which an election shall be held. *Section 70.*

XVIII. AGENTS OR CHALLENGERS.

Chairman of County Committee May Appoint—

See *Section 63. (Forms 17 and 18.)*

Candidate by Petition May Appoint—

Any candidate duly nominated by petition may likewise appoint two agents, who shall have permits issued to them in the same manner, and who shall have the same privileges; provided, that only two agents shall be allowed for each polling-place to represent all the candidates of each petition or group. *Section 63.*

Their Authority—

The agents so appointed shall file their permits with the board of registry and election named therein, and shall thereupon have authority to be present in the polling-place during the election, and to be within the railed enclosure during the counting of votes. *Section 63.* They are not entitled to any compensation from public funds. *Section 180.*

For Municipal or Local Elections—

For any election within a single municipality or subdivision thereof, the agents may be appointed by the chairman of the committee of each political party having candidates in nomination for municipal offices, or, by any candidate nominated by petition, &c. *Section 63.*

XIX.—SOLDIERS AND SAILORS.

Constitutional Provision—

In time of war no elector in the actual military service of the State, or of the United States, in the army or navy thereof, shall be deprived of his vote by reason of his absence from such election district; and the legislature shall have power to provide the manner in which, and the time and place at which, such absent voters may vote, and for the return and canvass of their votes in the election districts in which they respectively reside. *Section 220.*

How Vote May be Cast—

See *Sections 221 to 222.*

Preservation of Affidavits, &c.—

See *Sections 223, 225 and 226.*

Receipts to Postmaster—

Any person to whom there has been delivered an envelope marked as provided by law—that is, endorsed "Soldier's (or sailor's) vote"—shall give the postmaster a receipt therefor. *Section 227.*

Blank Forms and Envelopes—How Provided—

See *Section 232.*

Penalties—

Failure to perform duty by any member of the board of election, presenting to the board any false, forged, altered or changed ballot, envelope or instrument of authority, and intimidation of soldiers or sailors in the exercise of their right to vote, is made punishable by fine and imprisonment. *Sections 229, 230, 231.*

XX. COUNTY CANVASSERS.

Time, Place and Character of Meeting—

The board of county canvassers shall meet on Monday next after the election, at 12 o'clock noon, at the county court house. *Section 103.* The proceedings shall be open and public. *Section 117.*

How Constituted and Organized—

The county board of elections shall constitute the board of county canvassers for all general and special elections in this State, and for all local or municipal elections in the cities of this State. The county clerk shall be clerk of the board. *Section 102.* If the county clerk be absent, the board shall appoint a fit person to act as clerk. The chairman shall administer to the clerk of the board (whether it be the county clerk or a person appointed by the board) the official oath prescribed by law. *Section 104.*

Adjournment—

If at the time and place appointed for the meeting of the board a major part shall not attend, or if at such time the statements of the result of the election from every election district shall not be produced, the board shall adjourn to some convenient hour on the next day, and at the hour to which such adjournment shall be had, the canvassers then present may proceed with their duties, or they may again adjourn for a period not exceeding three days. *Section 105.* In case of adjournment all statements of the result of the election delivered to such board, or to any member thereof, shall, in the presence of the board and before it shall adjourn, be securely enclosed and sealed and delivered to the county clerk for safe keeping until the next meeting of the board. *Section 107.*

County Clerk to Obtain Missing Statement—

If at the time fixed for the meeting of the board any of the statements of the result of the election have not been filed with the county clerk, he shall forthwith, by special messenger or otherwise, obtain the same for the next meeting of the board at the expense of the county. *Section 106.* If a special messenger be employed, he shall be commissioned, in writing, under the hand and official seal of the county clerk, and shall exhibit his commission to the person to whom he shall apply for such missing statement. *Section 124.* (See *Form No. 25.*) All statements produced and laid before the board shall be filed by the county clerk in his office. *Section 116.*

Powers of County Canvassers—

The decision of the majority of the members shall be taken as the decision of the board. Any member may however, dissent from any decision of the board by stating such dissent in writing and delivering the same to the county clerk to be filed in his office. *Section 117.* Boards of county canvassers may commit disorderly persons who disturb their proceedings to the common jail of the county. *Section 186.*

Statements of Results of Election Made by County Canvassers—

The county clerk shall produce and lay before the board all statements of the result of election that have been filed in his office. *Section 103.* The board shall then proceed to make two statements of the result of the election, in the county, each of which statements shall contain the name of each district, the number of the names of the voters on the poll-books of each election district, and of the ballots rejected, and the whole number of such names and rejected ballots in all of said election districts, the number of voters given in each election district for each person voted for, and the whole number of votes given for each person for any office, mentioning the office or offices for which each person was designated. Each statement shall be certified to be true and correct by a certificate appended thereto signed by the members of the board making the canvass. *Sections 180, 109.* One of the statements so made and certified shall be delivered to the county clerk and by him filed in his office, and the other shall be enclosed and sealed up by the chairman of the board, who shall deliver or safely transmit the same to the Secretary of State, so that he shall receive the same within three days after the meeting of the board, to be filed by such secretary in his office. *Section 110.*

In case of any municipal election in any city, the second copy of the statement, instead of being sent to the Secretary of State, should be delivered or transmitted to the city clerk, to be by him filed. *Section 110.* All statements of the result of an election shall be made by boards of county canvassers upon the statements produced and laid before them. *Section 113.*

Statements of Determination of County Canvassers—

In the case of any election for member of the Senate, members of the General Assembly, or for any county or city officer or officers, the county board shall not only make a statement of the result of the election, but they shall also determine who have been elected and make and certify a statement of such determination. The certificate of such determination shall be signed by the chairman and attested by the clerk. The

statement of the determination, with such certificate thereto, shall be annexed to the statement of the result of the election and delivered to the county clerk, to be by him filed. In the case of an election for any city officer or officers, another copy of such determination, as to such officer or officers, shall be likewise made, signed and attested, and filed with the city clerk. *Sections 111, 112.* All such statements shall be made upon the statements produced and laid before the county board. *Section 113.* The county clerk shall, without delay, deliver to each person determined to be elected to the office of Senator, member of the General Assembly, or to any county office, a copy of such statement and determination and of the certificate thereto annexed, which certified copy shall be signed by the county clerk and have the seal of the county thereto affixed. A like certified copy shall be transmitted by the county clerk to the Secretary of State within five days after the meeting of the board. *Section 114.*

XXI. STATE CANVASSERS.

Time and Place of Meeting—

The State canvassers shall meet in the Senate Chamber, or some other convenient place, in Trenton, at 2 o'clock in the afternoon of the twenty-first day after the election for the purpose of canvassing and estimating the votes given for members of the House of Representatives, electors of President and Vice-President, United States Senator, or Governor, and of determining and declaring who have been elected. *Section 119.*

How Constituted and Organized—

The Governor and four or more members of the Senate, summoned by the Governor and representing different political parties, shall constitute the board of State canvassers. The Governor shall be its chairman, and the Secretary of State, if present, its clerk. *Section 119.* The official oath prescribed by law shall be administered by the chairman to the other members, and by one of such members to the chairman. *Section 120.* After such oaths have been taken, the chairman shall administer the proper official oath to the clerk, the board having the power, in the absence of the Secretary of State, to appoint a fit person to act as clerk. *Section 121.*

Vacancies—How Filled—

If a number of the members of the Senate summoned by the Governor, sufficient to constitute the board, shall not attend the meeting thereof, the Governor shall summon as members of such board as many fit persons, possessing the qualifications required for members of the Senate, as shall be necessary to complete the number required to constitute the board. *Section 122.*

Secretary of State to Obtain Missing Statements—

If the Secretary of State shall not receive from any county board of canvassers its statement of the results of the election in such county within seven days after the meeting of the county canvassers, or if, having received such statement, it shall not include the statement of the result of the election in every election district in such county, he shall forthwith, by special messenger or otherwise, obtain the missing statement. *Section 118.* If a special messenger be employed, he shall be commissioned, in writing, under the hand and official seal of the Secretary of State, and shall exhibit his commission to the person to whom he shall apply for the statement. *Section 124.* (See *Form No. 25.*) All statements received and obtained by him shall be produced and laid before the State board of canvassers *Sections 118, 123.* If he shall neglect so to do, the chairman of the State board shall summon him to perform that duty. *Section 125.* Such statements, after use by the State board, shall be filed by the Secretary of State, in his office. *Section 128.*

Meeting to be Public—

The proceedings of the State board shall be open and public. *Section 129.*

Powers of State Canvassers—

The decision of a majority of the members of the State board shall be taken to be the decision of the board. Any member may, however, dissent from any decision by stating his dissent in writing and delivering it to the Secretary of State to be filed in his office. *Section 129.* The board may commit to the common jail of the county any disorderly person who may disturb their proceedings. *Section 136.*

Statements Made by State Canvassers—

The State board of canvassers shall make a statement of the result of the election similar in form to that made by the county canvassers, which shall be certified to be true and correct under the hand of the chairman of the board, attested by the clerk thereof. *Section 123.*

The board shall also determine the person or persons elected to office, and make a statement of their determination similar in form to that made by the county canvassers, which statement shall also be certified to be true and correct under the hand of the chairman of the board, attested by the clerk thereof. *Section 123.*

Both of the above statements, with the certificates thereto annexed, shall be filed in the office of the Secretary of State. *Section 123.* Both of the said statements shall be made only upon the statements of the result of the election produced and laid before the board. *Section 126.* The Secretary of State shall make and deliver to each person declared to be elected a copy of the statement of determination, which copy shall be certified under his hand and seal of the State. *Section 127.*

XXII. RECOUNT OF VOTES.

Whenever any candidate at any election shall have reason to believe that an error has been made by any board of election or of canvassers in counting the vote or declaring the result of the election, or whenever any citizen shall have reason to believe that an error has been made, &c., whereby the result of the election has been changed, such candidate or such citizen may, within ten days after the election, apply to a Justice of the Supreme Court for a recount, and such Justice is authorized to order a recount to be made. *Sections 159 to 161.*

XXIII. CONTESTED ELECTIONS.

Governor—

Proceedings relating to a contest in the case of an election for Governor are prescribed in sections 141 and 152.

Legislature and Congress—

Proceedings relating to a contest in the case of an election of State Senator, member of General Assembly, or member of the House of Representatives of the United States, are prescribed in sections 153 to 158.

County, Township, City or Other Municipal Officers—

Proceedings relating to a contest in the case of an election of any officer of any county, city, borough, village, township or other municipality, are prescribed in sections 162 to 177.

XXIV. THE LEGISLATURE.

Election of Members—

Members of the General Assembly are elected annually on the Tuesday next after the first Monday in November. *Section 1.*

Apportionment of Members—

The members of the General Assembly are apportioned amongst the several counties in the manner set forth in section 237.

Place of Meeting—

sions in the State House, at Trenton. *Section 115.*

The Senate and General Assembly shall convene and hold their ses-

Evidence of Right of Members to Seats—

In the organization of each house the certified copies of the statements of determination of the county boards of canvassers, made by the county clerk, or the certificate issued by the Justice of the Supreme Court, in case of a recount, shall be deemed and taken to be *prima facie* evidence of the right of the persons therein mentioned to seats in the houses, respectively, to which they have been declared to be elected. *Sections 115, 159.*

Vacancy—How Created—

If any person elected to the Senate or General Assembly shall neglect or refuse for ten days next after the commencement of the sessions of such house to take his seat therein, or to send to such house a satisfactory excuse, or shall, during any session of such house, be absent unremittingly for ten days (unless expressly excused by such house), or shall remove from and cease to be a resident of this State, or of the county for which he may have been elected, his office shall be deemed vacant. *Section 134.*

Vacancies—How Supplied—

When any vacancy shall happen in the State Senate or General Assembly, the house in which the vacancy happens shall issue a writ of election supplying the same, unless such house shall be of opinion that the services of a person in the vacant office will not be required during the unexpired portion of the legislative year; if the vacancy happens during the recess of the Legislature, or after the annual election and not less than fifteen days before the commencement of the legislative year, the Governor shall issue such writ of election, unless of opinion that the services of a person in the vacant office will not be required for the unexpired portion of the legislative year; the board of chosen freeholders of any county may, however, require such writ to be issued. *Sections 133, 274, 275.* The writ shall be in the nature of a proclamation, shall be signed by the Governor, President of the Senate, or Speaker of the House of Assembly, as the case may be, shall specify the cause and purpose of the election, the name of the officer in whose office the vacancy has occurred, and the day on which the election shall be held, which shall not be less than fifteen nor more than forty days from the date of the writ. *Section 136.* The writ shall be delivered to the Secretary of State, who shall affix thereto the seal of this State, and file it in his office and send a certified copy thereof to the clerk of the county in whose representation the vacancy happens. *Section 137.* The county clerk shall publish the copy so received by him, at the expense of the county, in at least four of the newspapers of the county, at least once a week, until the time of election. *Section 138.*

XXV. HOUSE OF REPRESENTATIVES.

Who Not Eligible—

No person shall be elected a member of the House of Representatives who shall hold any office of trust or profit under the United States. *Section 123.*

When and How Members are Elected—

Members of the House of Representatives shall be elected on the Tuesday next after the first Monday in November, 1912, and at the same time in every second year thereafter. *Section 182.*

Election—How Certified—

In case of the election of one or more members of the House of Representatives, a general certificate of the election is signed by the Governor, attested by the Secretary of State, sealed with the seal of the State, and transmitted to the clerk of the House of Representatives, if in session, and, if not in session, then at their first meeting. *Section 180.*

Vacancy—How Supplied—

Sections 185 to 188.

Congressional Districts—

The congressional districts of this State are set forth in section 239.

XXVI. PRESIDENTIAL ELECTORS.

Who Ineligible—

No person shall be elected to the office of an elector of President and Vice-President who shall hold any office of trust or profit under the United States, or who shall hold the office of Senator or member of the House of Representatives of the United States. *Section 183.*

Qualifications of Electors—

Each elector of President and Vice-President must be a male citizen of the United States, of the age of twenty-five years or upwards, and an inhabitant of this State, and have been a citizen of the United States seven years next preceding the election. *Section 3.*

When and How Nominated—

Nominated at State convention. *Section 441.*

When and How Elected—

They are to be elected on the Tuesday next after the first Monday in November, 1916, at at the same time in each fourth year thereafter. *Section 3.*

Election—How Certified—

Their election is certified by a general certificate of election, signed by the Governor, attested by the Secretary of State, sealed with the seal of the State, and delivered to the president of the college of electors of this State on the day and at the time and place appointed for the meeting of the college. *Section 130.*

Time and Place of Meeting—

The electors shall meet at the State House at Trenton, on the day appointed by Congress, at the hour of three o'clock in the afternoon, and, after choosing a president and secretary from their own body, shall proceed to perform the duties required of them by the constitution and laws of the United States. *Section 131.*

Vacancies—How Supplied—

Vacancies happening in the electoral college shall be filled by the other members thereof. *Section 132.*

Charter Elections in Cities and Towns and in Municipalities Having Over 8,000 Inhabitants—

The provisions of the Election law relating to the nomination of candidates and the use of official ballots apply to all local and special elections in all of the cities of this State. *Section 85.*

XXVII. INCOMPATIBLE OFFICES.

No person shall hold at the same time more than one of the following offices: Elector of President and Vice-President of the United States, member of the United States Senate, member of the House of Representatives of the United States, member of the Senate or of the General Assembly of this State, county clerk, register, surrogate, sheriff or coroner. The acceptance of any such office by a person holding another of them shall vacate the office to which he was previously elected or appointed. *Section 184.* No election officer is eligible to any office to be filled at the election at which he serves. *Section 84.*

XXVIII. ELECTION DISTRICTS.

No election district within this State shall contain more than four hundred voters, except in an election district wherein there may be located a home or institution wherein persons entitled to vote may reside, and in any such district the number of voters shall be as near four hundred as possible. *Section 318.*

XXIX. COMPENSATION OF ELECTION BOARDS.

See *Section 322*.

Compensation for Services of County and Municipal Clerks—

County and municipal clerks, for their services, are entitled to fair and reasonable compensation, to be determined, in the case of a county clerk, by the board of chosen freeholders, and in the case of a municipal clerk by the governing body of the city, township or municipality. *Section 179*.

Compensation of County Boards of Elections—

The county board of elections are entitled to reasonable compensation for their services, to be fixed by the board of chosen freeholders. The member acting as secretary thereof may also receive an additional compensation not exceeding one-third of the compensation of the individual members of the board, except in counties of the first class, where each such board shall have a clerk, who shall receive such compensation as shall be fixed by the board of chosen freeholders. *Section 180*.

General Expenses—

Read section 180 with section 327.

XXX. CRIMES AND PENALTIES.

Crimes, misdemeanors and other punishable acts are defined as follows:

Every person charged with the performance of any duty under the provisions of any law of this State relating to elections, who willfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be guilty of a misdemeanor. *Section 420*.

The Printer—

See *Section 199*.

General Offenses—

Willful and corrupt swearing by any person in taking any oath, affirmation or deposition prescribed or authorized by the Election Law. *Section 188*.

Willfully and corruptly suborning or procuring any person to swear or affirm falsely in taking any oath, affirmation or deposition prescribed or authorized by the Election Law. *Section 188*.

Robbing or plundering any ballot-boxes. *Section 190*.

Unlawfully and by stealth or violence taking or removing from any ballot-box any ballot, or other paper. *Section 190*.

Changing, altering or destroying any ballot or other paper contained in any ballot-box. *Section 190.*

Selling, or offering to sell, or exposing for sale, spirituous, vinous, malt or intoxicating liquors on any election day. *Section 192.*

Bringing into the polling-place on election day or on any day of registry, during the hours that the election or registration is in progress or during the counting or canvassing of the votes, any spirituous, vinous, malt or intoxicating liquors. *Section 193.*

Falsely making or fraudulently defacing or fraudulently destroying any certificate of nomination or petition, or any part thereof, or filing or receiving for filing any certificate of nomination or petition, knowing the same or any part thereof to be falsely made. *Section 195.*

Suppressing any certificate of nomination or petition which has been duly filed, or any part thereof. *Section 195.*

Forging or falsely making the official endorsement of any ballot. *Section 195.*

Removing or destroying any of the ballots or pencils placed in the election booths with intent to hinder or delay the election, or to hinder or delay any voter in the preparation of his ballot. *Section 196.*

Showing his ballot, by any voter within the polling-room after it is prepared for voting in such a way as to reveal its contents. *Section 198.*

Soliciting a voter to show his ballot within the polling-place, or within one hundred feet thereof. *Section 198.*

Knowingly voting, or offering to vote, any ballot except an official ballot, where at the election official ballots are required to be used. *Section 198.*

Placing, or permitting to be placed, any mark upon the face or back of a ballot by which the ballot may afterwards be identified. *Section 198.*

Writing, pasting or otherwise placing upon any official ballot any mark, sign or device as a distinguishing mark whereby to indicate to any member of any election board or other person how any voter has voted. *Section 200.*

Inducing, or attempting to induce, any voter to write, paste or otherwise place on his ballot any mark, sign or device of any kind as a distinguishing mark by which to indicate to any member of any election board or other person how any other voter has voted. *Section 200.*

Entering into or attempting to form any agreement or conspiracy with any other person to induce, or attempt to induce, any voter to place any distinguishing mark, sign or device on his ballot, whether or not said act be committed or attempted to be committed. *Section 200.*

Directly or indirectly giving, lending, or agreeing to give or lend, or offering, promising, or promising to procure, or endeavoring to procure, any money or other valuable consideration or thing to or for any voter, or to or for any person in order to induce any voter to vote or refrain from registering for any election. *Sections 202, 293 to 308.*

Corruptly doing or committing any of the acts mentioned in the last preceding sentence on account of any such voter having voted or refrained from voting at an election, or registered or refrained from registering for an election. *Sections 202, 293 to 308.*

Directly or indirectly giving or procuring, or agreeing to give or procure, or offering or promising to procure, or endeavoring to procure, any office, place or employment to or for any voter, or to or for any person on behalf of a voter, or to or for any person in order to induce a voter to vote or refrain from voting, or to register or refrain from registering. *Sections 203, 293 to 308.*

Corruptly doing any act mentioned in the last preceding sentence on account of any voter having voted or refrained from voting or having

registered or refrained from registering, for any election. *Sections 203, 293 to 308.*

Giving, advancing or paying, or causing to be given, advanced or paid, any money or other valuable thing to any person or to the use of any person with the intent that such money or other valuable thing or any part thereof, shall be expended or used for bribery of voters or of any other unlawful purpose at any election. *Sections 414, 293 to 308.*

Knowingly paying, or causing to be paid, any money to any person wholly or in part expended in bribery of voters at any election. *Sections 414, 293 to 308.*

Directly or indirectly receiving, agreeing or contracting for any money, gift, loan or valuable consideration, office, place or employment, by a voter, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election, or for registering or agreeing to register, or for refraining or agreeing to refrain from registering for any election. *Sections 205, 293 to 308.*

Directly or indirectly making use of, or threatening to make use of, any force, violence or restraint, or inflicting or threatening to inflict, any damage, injury, harm or loss against any employe by any employer, or by any agent, superintendent or overseer of any company or corporation employing workmen, in order to induce or compel such employe to vote or refrain from voting for any particular candidate or candidates at any election. *Sections 206, 293 to 308.*

By any sort of duress, constraint or improper influence, or by any fraudulent or improper device, contrivance or scheme, impeding hindering or preventing the free exercise of the franchise of any voter at any election. *Section 205.*

Compelling, inducing or prevailing upon any voter to vote for or against any particular candidate or candidates at any election by any of the means described in the next preceding sentence. *Section 206.*

Obstructing the entrance to any polling-place, obstructing or interfering with any voter, or electioneering within any polling-place or publicly within one hundred feet thereof. *Section 207.*

Removing, destroying or mutilating any register list or copy thereof, or removing, destroying or mutilating before the election closes any list of voters posted in accordance with the law. *Section 209.*

Sweearing falsely in any affidavit to secure the registration of any person. *Section 35.*

Causing or procuring his name to be registered in more than one election district by any person. *Section 34.*

Causing or procuring his name, or that of any other person, to be registered, knowing that he or the person whose name is procured to be registered, is not entitled to vote in the election district wherein such registry is made. *Section 34.*

Falsely personating any registered voter. *Section 34.*

Willfully obstructing or interfering with any election clerk on the way from the polls to the office of the city clerk. *Section 101.*

Bribing any person at any election. *Sections 219, 293 to 308.*

Willfully neglecting or refusing to perform any duty imposed upon an elector to whom any soldier's or sailor's ballot shall be sent. *Section 229.*

Delivering or presenting to any district board of election any false, forged, altered or changed ballot, envelope, or instrument of any soldier or sailor. *Section 230.*

Directly or indirectly controlling, or attempting to control, any enlisted elector in the exercise of his rights of suffrage by menace, bribery, fear of punishment, hope of reward, or any other corrupt or arbitrary

measure or resort whatever, or annoying, injuring or otherwise punishing any such absent, enlisted elector for the manner in which he may have exercised his rights. *Section 331.*

Any candidate endorsed for nomination by any political party at any primary election, or any person nominated by petition for any elective office, shall file, within five days after filing petition of nomination, the names of person or persons who shall have charge of campaign moneys. *Section 390.*

No candidate shall expend any money except through such committee so nominated. *Section 390.*

Treasurer of such committee shall file within five days after primary election and twenty days after general election an itemized statement of all moneys received or disbursed. *Section 391.*

Every candidate shall file statement of personal contributions. *Section 392.*

Any candidate who shall refuse or neglect to file, or who shall make false statement of moneys received or expended, in addition to other penalties, shall forfeit the office to which he may have been elected. *Section 396.*

Every claim against said committee must be presented within four days after primary election and ten days after general election, and must be paid within fifteen days after the completion of official canvass, and not otherwise. *Section 396.*

Court of common pleas may order paid bills not so presented, if satisfied that there is no intentional misconduct shown. *Section 397.*

Every bill, placard, poster, pamphlet, advertisement or other printed matter shall bear upon the face thereof the name and address of the persons or committee causing the same to be published. *Section 398.*

No money shall be paid or any expense authorized or incurred by or on behalf of any candidate for nomination or election for any purpose prohibited by the provisions of this act. *Section 399.*

No money shall be paid or any expense authorized or incurred by any candidate except as provided for in *Section 400.*

The expenses or contributions of any ascendant or descendant, brother, sister, uncle, aunt, nephew, niece of any candidate, or of any fellow official of a corporation, shall be considered the same as the expenses or contributions of the candidate himself. *Section 401.*

No money shall be paid or any expense authorized or incurred on behalf of any candidate for the hiring of any vehicle for the transportation of voters to or from the polls, nor for the hiring of watchers at the polls on election day except the two persons provided by law. *Section 402.*

The court may order transportation furnished. *Section 403.*

No payment of money shall be made or any expense authorized or incurred by any person in aid of or for any candidate except by the committee heretofore referred to. *Section 405.*

No person shall, in any way, contribute money or other valuable consideration to or for any person for the doing of any act forbidden under the election laws; for the commission of any crime against the election franchise; for colonizing; for hindering voters; for securing the withdrawal of a candidate, or for any purpose in contravention of the provision of this act; for making payments after time limited. *Section 406.*

Name of giver must be entered. *Section 407.*

No person holding public office or position not filled by the voters, except persons holding an appointive office for a term which is fixed by law, shall contribute. *Section 408.*

No person shall solicit contributions from any religious, charitable or other organization. *Section 409.*

No person shall solicit any candidate for nomination or for public office to subscribe for the support of any club or organization, or to buy tickets to any entertainment. *Section 410.*

Certain corporations shall not contribute. *Section 411.*

No person shall pay for attendance at the polls. *Section 412.*

No person shall give or provide any political badge, button or other insignia to be worn at or about the polls. *Section 413.*

No person shall pay, lend or contribute, or offer or promise to pay, lend or contribute, any money or other valuable consideration, to any voter to vote or refrain from voting; to give employment to any person in order to induce such person to vote or refrain from voting; to make any gift, loan, promise or offer in order to induce such person or persons to procure, or endeavor to procure, the election of any person; or to promise to furnish funds for bribery; to furnish money for board and lodging; to assist in evading arrest of any person, or to pay for the endorsement by delegates, associations, etc.; to secure the withdrawal of any candidate for public office. *Section 414.*

No person shall receive or agree to receive any valuable consideration in consideration of his voting or refraining from voting. *Section 415.*

No person shall willfully cause or allow himself to be registered on any registration list on which he is not entitled to be registered. *Section 416.*

No person shall willfully cause or allow any other person to be registered on any registration list on which list such person is not entitled to be registered. *Section 417.*

Every person who fraudulently votes, or who votes more than once at any election, or who hands in two or more tickets folded together, or changes any ballot after the same has been deposited in the ballot-box, or who adds or attempts to add any ballots to those legally polled, with the intent of changing the result of said election, or destroys or attempts to destroy any poll list, or ballots, or ballot-box, or willfully detains, mutilates or destroys any election returns, or in any manner so interferes with the officers holding said election, they shall be guilty of a misdemeanor. *Section 418.*

Every person who fraudulently attempts to vote, or who impersonates any other voter, shall be guilty of a misdemeanor. *Section 419.*

Every person charged with the performance of any duty under the provisions of any law of this State relative to elections, who willfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be guilty of a misdemeanor. *Section 420.*

Any person offending against any provision of this act is a competent witness against another person so offending. *Section 421.*

Betting is unlawful. *Section 422.*

Every candidate who refuses or neglects to file the statement required by section 435 of this act is guilty of a misdemeanor. *Section 423.*

It is unlawful for any person, either directly or indirectly, to make threats to abduct or otherwise affect the voting of any person, either by duress, or other forcible or fraudulent device or contrivance. *Section 425.*

Pay envelopes shall not bear political expressions. *Section 425.*

Posting of political hand-bills, containing threats or notice affecting elections, shall not be posted in factories. *Section 425.*

Corporations shall forfeit charter for violation of the provisions of *Section 414.*

Election officers seeking to or disclosing voter's ballot, guilty of misdemeanor. *Section 426.*

Duty of prosecutor of pleas to inquire into violations of corrupt practices act. *Section 427.*

Penalty of candidates for violating corrupt practices act is forfeiture of office. *Section 428.*

Contested elections. *Sections 429, 431.*

XXXI. PRIMARY ELECTIONS.

Time of Primary Election—

Primary elections are held on the fourth Tuesday of September in each year from 7 A. M. to 9 P. M. *Section 349.*

Place of Holding Primary Election—

The primary election in a particular election district shall be held at the place where the voters of that district are to be registered. *Section 241.*

Voting Places, Booths, Etc., to be Provided—

The municipal or township clerk shall, at least twenty days before the primary election, secure in each election district a suitable room for the registry of voters and the primary election, and notify the registry or poll clerk or board of registry and election thereof; he shall also arrange the same for a polling-room and erect therein booths and furnish the same with black lead pencils in the same manner as for the general election. *Section 250.*

Nomination of Candidates at Primary Election—

Where a candidate for public office is to be voted for in a single election district, or in a township, borough or ward which contains but one election district, ten or more voters of any political party, and in any township, borough or ward having two or more election districts, twenty-five or more voters of any political party shall file with the municipal or township clerk a petition, addressed to such clerk, endorsing any member of their political party for nomination by their party at the primary election; the petition so filed shall request that the name of the person so endorsed be printed on the official ballot of the party to which the petitioners belong; the endorsed person who shall receive the largest number of votes at the primary election shall be the party candidate at the general election. *Sections 241, 243, 260.* Each candidate must file a written acceptance. *Section 244.* (See *Form No. 26.*)

Election of County and City Committee—*Section 245.***Election of Members of State Committee—***Section 381.***XXXII. NOMINATIONS UNDER DIRECT PRIMARY ACT.**

Officers to be voted for by the voters of an entire municipality may be nominated as above stated, except that the petition for nomination must contain not less than fifty signers, and must be filed with the municipal clerk not less than twenty days before the primary election. *Sections 289 to 293, also 243 and 353.*

Candidates for the office of Governor, member of United States Senate or Representative in Congress shall be nominated directly, without the intervention of delegates or conventions, at the primary election held in September. *Sections 353, 354.*

No less than 200 voters of any political party in any congressional district comprising more than one county may file with the Secretary of State a petition endorsing any member of their party as a candidate for nomination of said party to the position of Representative in Congress in said district. *Sections 318 and 354.*

Where any congressional district is laid out wholly within a single county the petitions must be filed with the county clerk of said county. *Section 354.*

Notice of Primary Election—

At least ten days before the primary election, the poll-clerks shall give notice of the time and place thereof by five or more advertisements posted at conspicuous places in the election district. *Section 252. (See Form No. 2A.)*

Official Ballot—*Section 356.***Delivery of Ballots and Ballot-Boxes—***Section 251.*

Official Oath—

Section 252. (Form 29.)

How Conducted—

Sections 241 and 252.

Who May Vote—

Section 344.

How to Vote—

Section 357.

Challenges—

If a voter at a primary election be challenged he shall make oath in the form prescribed. *Section 252.* Persons authorized to challenge voters are the election officers (*Section 252*), the two agents appointed by the chairman of the county committee of each political party (*Section 264*), and every person whose name is printed on the official primary ballot (*Section 264*). The appointment of agents by the chairmen of the county committees may be made in writing and be filed with the respective boards of registry and election. *Section 264.*

Canvassing Ballots and Making Statements Thereof—

The board of registry and election shall canvass the ballots cast for each party at a primary election, deliver to the municipal or township clerk a statement of the results thereof. *Sections 241, 254, 255.*

Who Considered Duly-elected Candidates for Public Office—

Section 256.

Procedure Where Candidate Dies or Declines—

If a candidate for office in a single ward or township die or decline after the primary election and before the general election, the proper committee of the party to which the person dying or declining belongs shall file a new nomination with the municipal or township clerk. *Sections 256, 317.* If a person endorsed in a petition as a candidate to be voted for at a primary election die or decline before such primary election, the vacancy shall be filled by a majority of the persons who signed the petition of the person so dying or declining, signing and filing a new petition, to be verified by three of the signers thereto. *Section 258.* If a person elected as delegate to a convention die or decline after the primary election and before the date of the convention, his place shall be filled by a majority vote of the other delegates selected from the election district in which the person so dying or declining was elected. *Section 260.*

XXXIII. STATE CONVENTION.

A State convention of each political party shall be held each year. The said convention shall be made up of the following members: First, the party candidates who have been nominated at the party primaries in September immediately preceding the convention for the office of Member of Assembly or State Senator in each county of the State; second, the candidate of the party for Governor nominated at said primaries in the year in which a Governor is elected, and in each year in which no Governor is elected, the Governor of the State shall be a member of the convention of the political party to which he belongs; third, members of the State Senate belonging to said party who are holding office at the time of holding of the State convention and whose successors are not to be chosen at the ensuing general election; fourth, members of the State committee. *Section 381.*

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FORMS

FORMS

No. 1.—Notice of Election by Secretary of State to County Clerk.

[This notice is required by Section 5 to be given between the fifteenth day of July and the first day of August. The county clerk is required (between the first day of August and the first day of September), by the same section, to transmit a certified copy of it to the clerk of each township, city or other municipality in the county.]

To.....

Clerk of the County of.....

In conformity with the provisions of an act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, you are hereby notified that electors of President and Vice-President of the United States, a Representative in the United States Senate, a Member of the House of Representatives of the United States for the..... Congressional District, and a Member of the Senate of this State for the County of..... (or as the case may be) are to be elected at the next general election to be held November 7th, 1916.

Dated at Trenton, New Jersey, August....., 1916.

.....
Secretary of State of New Jersey.

No. 2.—Notice of Election by County Clerk to Township, City and Other Municipal Clerks.

[This notice is required by Section 6 to be given in the month of August.]

To.....

Clerk of the Township of (City or other Municipality) of.....

In conformity with the provisions of an act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, you are hereby notified that a sheriff (three coroners, a county clerk, a register of deeds, a surrogate, or as the case may be) are to be elected at the next general election to be held November 7th, 1916.

Dated at....., in the county of....., and State of New Jersey, August....., 1916.

.....
Clerk of the County of.....

No. 3.—Registry and Election Notice.

[This notice is required by Section 7.]

In municipalities of fifteen thousand and less population, it is not necessary to include description of boundary line of election districts, nor is it necessary to give place of meeting of boards of registry and election.

Notice is hereby given that the District Boards of Registry and Election in and for the.....of.....will meet in the places hereinafter designated on

[Date of first meeting.]

between the hours of one and nine P. M., for the purpose of registering all persons entitled to vote at the ensuing Primary and General Election.

Notice is further given that the said Boards will also sit in the same places between the hours of seven A. M. and nine P. M. on

Tuesday.....

[Date of second meeting.]

for the purpose of conducting a Primary Election for the nomination of candidates for

[Here insert officers to be nominated.]

Said Boards will also sit at the same places between the hours of one and nine P. M. for registration purposes, on

Tuesday.....

and finally on

Tuesday, November 7th, 1916,

between the hours of six A. M. and seven P. M., for the purpose of conducting a General Election for

[Here insert election districts.]

Places of meeting of Boards of Registry and Election:

[Here insert places of meetings.]

Clerk of the Township (City or
other Municipality) of.....

No. 4.—Certificate by the Secretary of State to the County Clerks of Names of Candidates.

[This certificate is required by Section 48.]

**STATE OF NEW JERSEY,
DEPARTMENT OF STATE.**

A statement of all the candidates nominated by certificate or petition filed in the office of Secretary of State in pursuance of an act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, for whom voters within the county of.....are by law entitled to vote at the general election to be held on the seventh day of November, 1916.

.....

FOR THE OFFICE OF GOVERNOR.

Names of Candidates.	Residences.	Names of Parties Nominating.

FOR THE OFFICE OF MEMBER OF THE HOUSE OF REPRESENTATIVES OF THE
UNITED STATES.

Names of Candidates.	Residences.	Names of Parties Nominating.

I HEREBY CERTIFY that the foregoing statement is correct and true.
Witness my hand and seal of office this.....day of October, 1916.

.....
Secretary of State.

No. 5.—Certificate by County Clerk to Secretary of State of Names of
Candidates.

[This certificate is required by Section 42.]

To the Secretary of State of the State of New Jersey:

Pursuant to the provisions of the act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, I hereby certify the names, places of residence and post-office addresses of the several candidates nominated for Senator and members of the General Assembly to be voted for in the county of....., at the general election to be held on the seventh day of November, 1916, and also the title of the party nominating said candidates, and whether by convention or petition, with the dates of holding such conventions and of the filing of certificates of nominations and petitions.

FOR SENATOR.

Names.	Residences.	Post-Office Addresses.	Party Nomi- nating,	By Conven- tion or Petition,	Date of Holding Con- vention.	Date of Filing Certificate of Nomination or Petition.

FOR MEMBERS OF THE GENERAL ASSEMBLY.

Names.	Residences.	Addresses. Post-Office	Party Nomi- nating,	By Conven- tion or Petition.	Date of Holding Con- vention.	Date of Filing Certificate of Nomination or Petition.

Witness my hand at....., in the county of....., this
.....day of A. D. 1916.

.....
Clerk of the County of.....

**No. 6.—Notice by Township, City or Municipal Clerk to District Board
of Registry and Election of Location of Room for
Registry and Election.**

[This notice is required by Section 8.]

To the District Board of Registry and Election of Election District
No.....,

Township (or Ward) of....., County (or City) of.....:

You are hereby notified that I have procured a room at..... in
the above-stated election district, in which your board shall meet to
make and revise the register of voters for the general election to be
held on November 7th, 1916, and also in which to hold said election.

Dated....., A. D., 1916.

.....
Clerk of the Township (or City) of.....

No. 7.—Affidavit of Voter for Registration.

[Form of affidavit of a voter to show the right of another to have his name entered on the register. Sections 23, 24, 26, 29, 32, 345, 360.]

STATE OF NEW JERSEY, }
County. } ss.

....., being duly sworn, on his oath saith, that he is a legal voter in the.....District, Township of....., County of....., and that his address is at.....in said District; that he is well acquainted with....., who resides at.....in the township and county aforesaid, and that he, the said....., has resided in the State of New Jersey for one year last past and in the county of.....for five months last past; that he is a citizen of the United States and is a legal voter in said election district.

Sworn and subscribed before me,
 this.....day of.....A. D. 1916. }

No. 8.—Certificate of Nomination by Party Convention.

[This form is prepared for use in cases of nominations by party conventions. It is easily adapted to cases of nominations by party conventions for the whole State, for Congressional districts, for counties, or for townships and municipalities. See Section 48.]

THIS CERTIFIES, That at a Convention of Delegates held at....., in the county of....., on theday of....., 1916, and representing the.....party, a political party
 [Not more than three words.]
 which at the general election next preceding the holding of said convention polled for members of the General Assembly at least two per centum of the total vote cast in the....., the following nominations were made:

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....

[Print or write all the above entries very plainly.]

Witness our hands this.....day of....., A. D. 1916.

.....
 Presiding Officer of the Convention.
 Residence....., P. O. Address.....

 Secretary of the Convention.
 Residence....., P. O. Address.....

STATE OF NEW JERSEY, {
County. } ss.

I,, being duly sworn, depose and say that I was the Presiding Officer of the Convention named in the foregoing certificate, and that said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, {
 this.....day of....., A. D. 1916. }

STATE OF NEW JERSEY, {
County. } ss.

I,, being duly sworn, depose and say that I was the Secretary of the Convention named in the foregoing certificate, and that said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, {
 this.....day of....., A. D. 1916. }

I,, the candidate mentioned in the foregoing certificate, do hereby accept the nomination for the office for which I am therein named.

Dated,, 1916.

No. 9.—Certificate of Nomination to Fill Vacancy.

[To be filed with the proper officer at least thirteen days before election. Section 45.]

THIS CERTIFIES, That at a Convention of Delegates held at....., in the county of....., on the.....day of....., 1916, and representing the.....party, a political party

[Not more than three words.]

which at the general election next preceding the holding of said convention polled for members of the General Assembly at least two per centum of the total vote cast in the....., the undersigned were appointed a committee to fill vacancies;

AND WHEREAS, a vacancy exists in the nomination by said convention for the office of....., occasioned by the.....of the said

[State reason.]

....., who was nominated as aforesaid, which nomination
 [Name of candidate.]

was duly certified and filed in the office of.....; Therefore, we, the committee aforesaid, do hereby make the following substitute for the said....., nominated as aforesaid:

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.

[Print or write all the above entries very plainly.]

Witness our hands this.....day of....., A. D. 1916.

.....
Chairman of Committee to fill Vacancies.

.....
Secretary of Committee to fill Vacancies.

STATE OF NEW JERSEY, }
.....County. } ss.

I,, being duly sworn, depose and say that I am the Chairman of the Committee to fill Vacancies, appointed by the convention named in the foregoing certificate, and that the said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, }
this.....day of....., A. D. 1916. }

STATE OF NEW JERSEY, }
.....County. } ss.

I,, being duly sworn, depose and say that I am the Secretary of the Committee to fill Vacancies, appointed by the convention named in the foregoing certificate, and that the said certificate and the statements therein contained are true, as I verily believe.

Sworn and subscribed before me, }
this.....day of....., A. D. 1916. }

I,, the candidate nominated to fill the vacancy mentioned in the foregoing certificate, do hereby accept the nomination for the office for which I am therein named.

Dated,, 1916.

No. 10.—Nomination by Petition.

[Form of certificate of nomination by petition. May be adopted to the entire State or to any district or subdivision thereof more or less than a single county. Section 41.]

To the Secretary of State of the State of New Jersey:

[Or to such other officer as may be proper under Section 41.]

The undersigned, legal voters of the State of New Jersey, residing within the county of....., do hereby nominate the following named persons for the several offices mentioned, to be voted for at the election to be held on the seventh day of November, 1916:

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....
.....
.....
.....

[Print or write all the above entries very plainly.]

And we do hereby certify that each of the candidates above named is legally qualified to hold the office for which he is nominated, and that your petitioners are legally qualified to vote for said candidates. The title of the party (or principle) which said candidates represent is

[Not more than three words.]

Witness our hands this.....day of....., A. D. 1916.

Signature.*	Residence.	Post-Office Address.	Street No. (if any)
.....
.....
.....
.....

[*A voter may sign one petition for each officer to be nominated, and no more, but all the names need not be signed to one petition. Section 41.]

[At least five of the voters signing the petition shall take and subscribe the following oath. Section 41.]

STATE OF NEW JERSEY, {
.....County. } ss.

....., and, being duly sworn, on their oaths respectively, do say that the foregoing petition is

made in good faith, and that they verily believe all the signatures thereto to be genuine and those of duly qualified voters.

.....
.....
.....
.....
.....

Sworn and subscribed before me, {
this.....day of....., A. D. 1916. {

We, the candidates mentioned in the foregoing certificate, do hereby accept the nominations for the offices for which we are therein respectively named.
Dated,, 1916.

.....
.....
.....

No. 11.—Nomination by Petition to Fill Vacancy.

(To be addressed to and filed with the proper officer at least thirteen days before election.
Section 45.)

WHEREAS, Certain legal voters of the county of.....did, on the.....day of....., 1916, in the manner and form prescribed by law, nominate.....for the office of....., and filed a certificate thereof with....., as required by law; AND WHEREAS, a vacancy exists in the nomination aforesaid, occasioned by the.....of said.....; THEREFORE, we, the under-
[State reason.] [Name of candidate.]
signed, legal voters of the State of New Jersey, residing within the county of....., do hereby make the following substitute for the said....., nominated as aforesaid:

Office to be Filled,	Name of Candidate.	Residence.	Post-Office Address.
.....
.....

[Print or write all the above entries very plainly.]

And we do hereby certify that the candidate above named is legally qualified to hold the office for which he is nominated, and that your petitioners are legally qualified to vote for said candidate.

The title of the party (or principle which said candidate represents is.....

[Not more than three words.]

Witness our hands this.....day of....., A. D. 1916.

Signature.*	Residence.	Post-Office Address.	Street No. (if any)
.....
.....
.....
.....

*A voter may sign one petition for each officer to be nominated, and no more, but all the names need not be signed to one petition. Section 41.]

[Here must be appended the oath of five voters, and the acceptance of the candidate. See *Form No. 10.*]

No. 12.—Certificate of Appointment of Board of Registry and Election.

[The county board of elections appoint the several boards of registry and election. Sections 323 and 325.]

THIS IS TO CERTIFY, That the County Board of Elections of the county of.....have this day appointed the following persons, viz., to be members of the Board of Registry and Election for the.....Election District in.....of....., in said county of....., from and including September 1st, 1916, to and including August 31st, 1917, or until their successors are appointed and qualified.

Dated the.....day of August, A. D. 1916.

.....
Chairman of County Board.

.....
Secretary of County Board.

No. 13.—Certificate of County Board of Elections That Name of Voter Has Been Added to Register.

[This certificate should be presented to the proper board of registry and election, and that board, if satisfied that the person therein named is entitled to vote in their election district, and not otherwise, should receive and file the certificate, add the person's name to their copy of the register, and allow him to vote. See Section 25.]

To the Board of Registry and Election in Election District No....., Township (or Ward) of....., County (or City) of.....:

We, the County Board of Elections in and for the county of....., DO HERBY CERTIFY that.....has applied in person to us for the purpose of having his name placed on the register of voters in and for your Election District; that proper evidence has been submitted to us satisfying us that he is a legal voter entitled to vote at the election to be held in your Election District on November 7th, 1916, that it appears to us that his name has been improperly or inadvertently left off the registry list for said election in your Election District; and that we have added his name to the copy of the register for your Election District filed with us.

In witness whereof, we have caused this certificate to be signed by our Chairman and Secretary this.....day of....., A. D. 1916.

.....
Chairman.

.....
Secretary.

No. 14.—Notice of Application to County Board of Elections to Have Name of Registered Person Stricken From the Register.

[This notice should be delivered personally to the person whose name it is desired to have erased from the register; or, in default of such service, it must be left with some person over fourteen years of age at the assigned place of residence of the person whose name it is desired to have erased. The service must be made "at least two entire days" before the meeting of the county board. That is, for the meeting of the county board on Thursday, November 2nd, the notice must be served not later than October 31st, and for the meeting on Saturday, November 4th, not later than November 2nd. See Section 25.]

You are hereby notified that I, the subscriber, a qualified voter of Election District No....., in the township (or ward) of....., in the county (or city) of....., will apply to the County Board of Elections in and for the county of....., at their meeting to be held at the county court house of said county [or, if they do not meet there, state the place], on Thursday, November 2nd, 1916 [or Saturday, November 4th 1916], at eight o'clock in the morning or as soon thereafter as said board can hear said application, to have your name stricken from the register of voters of said Election District, on the ground that you have not been a resident of the State of New Jersey for one year [or, as the case may be].

Witness my hand this.....day of....., A. D. 1916.

No. 15.—Certificate of County Board of Elections That a Name Has Been Erased From the Register.

[This certificate should be presented to the proper board of registry and election, and that board should then receive and file it and erase from their copy of the register the name of the person therein given, and refuse to receive his vote if it should be presented. See Section 25.]

To the Board of Registry and Election in Election District No.....,
Township (or Ward) of....., County (or City) of.....:

We, the County Board of Elections in and for the county of.....,
DO HEREBY CERTIFY that it has appeared to us by affidavit of....., a
qualified voter of your Election District, that notice in writing was given
by him to.....on the.....day of....., A. D. 1916, by deliver-
ing the same to said.....personally [or, if not delivered personally,
then say, *by leaving the same at.....A his assigned place of resi-
dence, with....., a person above the age of fourteen years, on the
.....day of.....A. D. 1916*], stating that at our meeting held on
this day application would be made to have the name of said.....
stricken from the register of voters for your Election District, on the
ground that he has not been a resident of the State of New Jersey for
one year [or, as the case may be ; that we have accordingly examined
into the said matter; that it has appeared to our satisfaction that said
.....has not been a resident of the State of New Jersey for one year
[or, as the case may be], and that for that cause he is not entitled to
vote in your Election District on November 7th, 1916. And we further
HEREBY CERTIFY that the name of said.....has, by our order, been
erased from the copy of the register for your Election District on file
with us, on the ground that he has not been a resident of New Jersey
for one year [or, as the case may be].

In witness whereof, we have caused this certificate to be signed by our
Chairman and Secretary this.....day of....., A. D. 1916.

.....
Chairman.

.....
Secretary.

No. 16.—Oath of Members of County Boards of Elections and of District Boards of Registry and Election.

[This oath, when duly executed, shall be forthwith forwarded to the county clerk, who
is directed to file it in his office. Section 16.]

STATE OF NEW JERSEY, {
.....County. } ss.

I,, do solemnly and sincerely promise and swear
[or affirm] that I will faithfully and impartially discharge all the duties
of a member of the Board of Registry and Election for Election District
No..... in the township of....., in the county of..... [or, of
a member of the County Board of Elections of the county of.....],
to the best of my skill and ability.

Sworn and subscribed before me, {
this.....day of....., A. D. 1916. }

No. 17.—Appointment of Agent or Challenger.

[This paper shall be filed with the county board of elections five days before the election, and the county board of elections shall issue a permit in accordance therewith to the person named therein. Section 63.]

To.....

Residence.....

By virtue of the authority vested in me by law, I do hereby appoint you as one of the two Agents or Challengers to represent the..... party at Election District No....., in the township of....., and county of....., at the general election to be held November 7th, 1916.

Witness my hand, this.....day of....., 1916.

.....
Chairman of....County....Committee.

[This form, with the necessary alterations, may also be used for the appointment of Agents by candidates nominated by petition.]

No. 18.—Permit to Agent or Challenger.

[This permit must be presented by the person named therein to the election board of the district named therein, and he shall then be permitted to remain within the polling place while the election is in progress, and to be within the railed enclosure while the ballots are being counted. Section 63.]

..... having presented to the County Board of Elections of the county of....., a paper under the hand of the Chairman of theCounty Committee of the said county of..... appointing him as one of the two Agents or Challengers to represent the party of Election District No....., in the township of....., and county of....., at the general election to be held on November 7th, 1916, he the said....., is hereby permitted to act as such Agent or Challenger at the election in said Election District, in accordance with the law of this State.

In witness whereof, the County Board of Elections of the county ofhave caused this certificate to be signed by its Chairman and Secretary, on this.....day of....., A. D. 1916.

.....
Chairman.

.....
Secretary.

[This form, with the necessary alterations, may also be used for Permits to Agents appointed by candidates nominated by petition.]

No. 19.—Transfer Certificate.

[This certificate is issued in pursuance with Sections 367 and 368.]

Election District No....., Township (or Ward) of.....,
County (or City) of.....
....., who had been duly registered as a legal voter in
this Election District, having presented to this board a certificate direct-
ing his transfer to the Election District No....., Township (or
Ward) of....., County (or City) of.....; *it is, on this.....*
day of....., ordered, that his name be erased from the registry of
the first mentioned district and be transferred to the.....Election
District, in the Township (or Ward) of....., County (or City)
of.....

.....
.....
.....
.....
Board of Registry and Election.

No. 19a.—Certificate Directing Transfer of Voter.

Election District No....., Township (or Ward) of.....,
County (or City) of.....
It appearing to the satisfaction of the court that.....has moved
from.....Election District, in the Township (or Ward) of.....,
County (or City) of....., in which District he had been duly regis-
tered, to Election District No....., in the Township (or Ward) of
....., County (or City) of.....

It is thereupon on this.....day of.....Ordered that the Board
of Registry and Election of said Election District No....., in the
Township (or Ward) of....., County (or City) of....., place
the name of the said.....upon the Registry of the said Election
District.

.....
Judge of the Court of Common Pleas.

No. 20.—Receipt for Ballots.

[This receipt for ballots should be given by the party receiving them to the party deliver-
ing them. See Section 54.]

I,, clerk of the city of..... [or, clerk of the township of
.....; or, one of the clerks of the board of registry and election of
Election District No....., in the Township of.....; or, as the

case may be] do hereby acknowledge that I have received on this day from....., county clerk of the county of..... [or, *city clerk of the city of*.....; or *township clerk of the township of*.....; or *as the case may be*], sealed packages of ballots having thereon respectively the following directions:

.....

.....

.....

Dated, November....., A. D. 1916.

.....
Clerk of [as the case may be].

No. 21.—Heading in Poll-Book.

[This form is prescribed in Section 67.]

Names of voters at an election held in the.....District of....., in the county of....., on the.....day of....., in the year of our Lord one thousand nine hundred....., for..... (naming the offices to be filled).

No. 22.—Entry in Poll-Book on Adjournment for Dinner.

[This form is prescribed in Section 77.]

The whole number of the names of the voters in this poll-book whose votes have been received during this election, up to the time of our adjournment for dinner, being at 1 o'clock in the afternoon, is two hundred and twenty-six (or, as the case may be).

.....
Judge of Election.

.....
Inspector of Election.

.....
Clerks of Election.

No. 23.—Entry in Poll-Book at Close of Election.

[This form is prescribed in Section 86.]

The whole number of names of the persons whose votes have been received during the election is three hundred and forty-five (or, as the case may be).

.....
Judge of Election.

.....
Inspector of Election.

.....
Clerks of Election.

No. 24.—Oath of Person Who Claims Assistance by Reason of Blindness or Inability to Read or Write.

[This oath is required by Section 379.]

You do solemnly swear that you are blind (or name any other physical disability), and that by reason thereof, you are unable to enter and remain in a booth, or to prepare your ballot therein for voting at this election, without assistance. So help you God.

The oath to a blind voter, or a voter unable to read or write, may be administered with the ceremony of lifting up the hand and swearing by the ever-living God, instead of that of touching and kissing the Book of the Gospels. When the oath is administered with the ceremony of lifting up the hand it should be in the following form:

You do solemnly swear by the ever-living God that you are blind (or unable to read or write) and that, by reason thereof, you are unable to enter and remain in a booth, or to prepare your ballot therein for voting at this election, without assistance.

Where the blind voter, or voter unable to read or write, has conscientious scruples against taking an oath, he may affirm in the following form:

I,, being conscientiously scrupulous of taking an oath, do solemnly, sincerely and truly declare and affirm that I am blind (or unable to read or write), and that, by reason thereof, I am unable to enter and remain in a booth, or to prepare my ballot therein for voting at this election without assistance.

No. 25.—Commission of Messenger to Obtain Missing Statement of the Result of an Election.

[This form is authorized by Section 124.]

To....., *Esquire*:

WHEREAS, No statement of the result of the election held on November 7th, 1916, in District No....., in the township (city, or as the case may be) of....., in the county of....., has been filed in my office:

Therefore, pursuant to the provisions of the act entitled "An act to regulate elections (Revision of 1898)," approved April 4th, 1898, I,, Secretary of State of the State of New Jersey (or Clerk of the County of.....), do hereby appoint and commission you as my special messenger to obtain a statement of the result of the election held on November 7th, 1916, in said District No....., in the township (city, or as the case may be) of....., in the county of....., to the end that the same may be forthwith filed in my office according to law.

In witness whereof I have hereunto set my hand and affixed my official seal on this.....day of November, A. D. 1916.

.....
Secretary of the State of New Jersey
(or, Clerk of the County of.....)

No. 26.—Petition Nominating Candidate for Public Office.

[See Sections 241, 243, 260.]

To.....
(City, borough, town or township clerk.)

Clerk of.....
(City, borough, town or township.)

We, the undersigned, hereby certify: That we reside in.....
election district in the.....ward of the.....

(City, borough, town or township.)
and that we are qualified voters therein; that we are members of the
....., and that at the last election for members of the General As-
sembly we voted for a majority of the candidates whose names were
printed upon the ticket of said party, and that we intend to affiliate
with the said party at the ensuing election; that we endorse the person
hereinafter mentioned as candidate for the nomination to the office
of....., and we request that you print upon the official primary
ballot of said party the name of the said person. We further
certify that the residence and post-office address of the said per-
son so endorsed.....as follows:
(is or are)

Name.	Residence.	P. O. Address.
.....
.....

and that the said person so endorsed.....legally qualified under
(is or are)
the laws of this State to be nominated for the said office.

(Signature of Petitioners):

Name.	Residence.	P. O. Address.
.....
.....
.....
.....
.....

STATE OF NEW JERSEY, }
.....County. } ss.

....., being duly.....upon his.....
(Sworn or affirmed.) (oath or affirmation)

saith, that he is one of the signers of the petition hereto annexed; that
said petition is signed by each of the signers thereto in his own proper
handwriting; that each of such signers is to the best of the knowledge
and belief of this.....a legal voter of the said election

(deponent or affiant.)
district, as stated in said petition, and belongs to the political party
named in said petition, and that such petition is prepared and filed in

absolute good faith for the sole purpose of enorsing the person
therein named in order to secure..... nomination as candidate
(his or their)
for office as stated in said petition.

..... before me
(Sworn to or affirmed)
this day
of, 1916.

Certificate of Acceptance of Nomination for Public Office.

[This certificate must be annexed to the foregoing petition. See Section 244.]

I hereby certify that I am qualified for the office of.....mentioned in the foregoing petition, and that I consent to stand as a candidate for nomination at the ensuing primary election, and that if nominated I agree to accept the nomination.

No. 27.—Petition Nominating Candidate for Position of Delegate.

[See Sections 241, 243, 260.]

To.....
(City, borough, town or township clerk.)
Clerk of.....

(City, borough, town or township.)
We, the undersigned, hereby certify: That we reside in
election district in the ward of the
(City, borough, town or township.)
and that we are qualified voters therein; that we are members of the
..... party, and that at the last election for members of the General
Assembly we voted for a majority of the candidates whose names
were printed upon the ticket of said party, and that we intend to affiliate
with the said party at the ensuing election; that we endorse the per-
son hereinafter mentioned as candidate for the position of dele-
gate to the ensuing convention
(State, congressional, county, assembly, city, etc.)
of the said party; and we request that you print upon the official pri-
mary ballot of the said party the name of the said person. We
further certify that the residence and post-office address of the
said person so endorsed as follows:
(Is or are)

[illegible]

and that the said person so endorsed.....legally qualified under
the laws of this State to act as delegate ^(is or are) to the said convention.

(Signature of petitioners)

Name.	Residence.	P. O. Address.
.....
.....
.....
.....
.....
.....
.....

STATE OF NEW JERSEY, {
COUNTY OF..... } ss.

....., being duly.....upon his.....
(sworn or affirmed) (oath or affirmation)
saith, that he is one of the signers of the petition hereto annexed; that
said petition is signed by each of the signers thereto in his own proper
handwriting; that each of such signers is to the best of the knowledge
and belief of this....., a legal voter of the said election
(deponent or affiant)
district, as stated in said petition, and belongs to the political party
named in said petition, and that such petition is prepared and filed in
absolute good faith for the sole purpose of endorsing the person
therein named in order to secure.....selection as delegate
(his or their)
as stated in said petition.

.....before me }
(Sworn to or affirmed) }
this day }
of 1916. }

Plain Certificate of Acceptance of Nomination for Position of Delegate.

[This certificate, or the next one, must be annexed to the foregoing petition. See
Section 244.]

..... hereby certify that.....qualified for the
(I or we) (I am or we are)
position of delegate to the convention mentioned in the foregoing
petition, that.....consent to stand at the ensuing primary election
(I or we)
as candidate for the position of delegate to the said convention,
and that if chosen as such delegate ,.....will act as such
(I or we)
delegate .

.....
.....

**Certificate of Acceptance of Nomination for Delegate, with Request That
Name of Person Who is the Acceptor's Choice for Nomination
at the Convention be Printed on Ballot.**

[This certificate, or the next preceding one, must be annexed to the last foregoing petition. See Section 244.]

....., the undersigned, hereby certify that.....qualified
(I or we) (I am or we are)
for the position of delegate to the convention mentioned in the fore-
going petition, that.....consent to stand at the ensuing primary
(I or we)
election as candidate for the position of delegate to the said con-
vention, and that if chosen as such delegatewill act as such
(I or we)
delegate ; that.....request that the name of.....be printed
(I or we)
opposite.....name on the official primary ballot of the said party
(my or our)
as.....choice for
(my or our)

(governor, congressman, senator, surrogate, sheriff, mayor, or as the case may be.)

.....
.....
.....
.....

No. 28.—Notice of Time and Place of Primary Election.

[This notice must be given by the poll clerks by five or more copies of it posted
at conspicuous places at least ten days before the primary election.
Section 252.]

Notice is hereby given that a primary election for all political parties
will be held in and for the.....Election
(city, township, or as the case may be)
District, in.....at....., in said Election District, on
(location)
Tuesday, September 26th, 1916, between the hours of one and nine
o'clock in the afternoon.
Dated....., A. D. 1916.

.....
.....
Poll Clerks.

No. 29.—Official Oath of Officers Conducting Primary Election.

[This oath must be taken before opening the primary election. Section 252.]

STATE OF NEW JERSEY, COUNTY OF.....ss.: I,.....,
a member of the board of registry and election in and for the.....

Election District, in the....., in said county, do
 (city, township, or as the case may be)
 solemnly swear that I will to the best of my understanding and ability,
 conduct the primary election in and for said Election District on the
 twenty-sixth day of September, A. D. nineteen hundred and sixteen,
 honestly and in accordance with the law, so help me God.

Sworn and subscribed before me, {
 this.....day of....., A. D. 1916. {

**No. 30.—Petition Nominating Candidate for Public Office. Direct
 Primary Act.**

[See Sections 289 to 292-A.]

To.....

Clerk of.....

We, the undersigned, hereby certify that we reside in the.....
 of....., and that we are qualified voters therein; that we are
 members of the.....party, and that at the last election for mem-
 bers of the General Assembly we voted for the majority of the candi-
 dates whose names were printed on the ticket of the said party, and that
 we intend to affiliate with said party at the ensuing election. That we
 endorse the person hereinafter named as candidate for the office
 therein named, and we request that you print upon the official primary
 ballot the name of the said person. We further certify that the
 residence and post-office address of the said person so endorsed
as follows:

(is or are)

Office to be Filled.	Name of Candidate.	Residence.	Post-Office Address.
.....
.....
.....
.....

[Print or write all the above entries very plainly.]

We do further certify that the said person so endorsed.....
 (is or are)
 legally qualified under the laws of this State to be nominated for said
 office.

Signature.

Residence and Post-Office Address.

.....

.....

STATE OF NEW JERSEY, { ss.
COUNTY OF.....

....., being duly sworn, upon his oath deposes and says that he is one of the signers of the foregoing petition; that said petition was signed by each of the signers thereto in his own proper handwriting; that each of the signers thereto is, to the best of the knowledge and belief of this deponent, a legal voter of.....county, as stated in said petition, and belongs to the political party named in said petition, and that this petition is prepared and filed in absolute good faith for the sole purpose of endorsing the persons therein named in order to secure their nomination as candidates for office, as herein stated.

Sworn to before me this.....
day of, 1916.

CERTIFICATE OF ACCEPTANCE.

We hereby certify that we are legally qualified for the offices for which we have been endorsed in the foregoing petition; that we consent to stand as candidates for nomination at the ensuing primary election, and that if nominated we agree to accept the nominations.

(This blank can be used for nominating either county or municipal officers.)

FORM No. 31.

[Affidavit of voter, who, by reason of illness or absence from the State, is unable to register personally. Section 380.]

Affidavits must be filed with the District Board of Election on or before October 24, 1916.

State of..... { ss.
County of

....., being duly sworn according to law, saith that he is a citizen of the United States and a legal voter in the..... Election District of the..... Ward of the City of....., County of.....; that by reason of.....

(Illness or absence from the State of New Jersey, as the case may be.)

is unable to register personally for the ensuing general election.

He further deposes and says that his name is.....; that his place of residence is.....; that he occupies
 (Street and number.)
; that the name of the householder,
 (State number of room or floor occupied.)
 tenant, sub-tenant or apartment lessee is.....; that his age is.....years; that he has resided in the State of New Jerseyyears; that the county of his nativity is.....; (Give country, State or province of birth.)
 (Give name of municipality.)
 that he voted last in.....; that he is
 *in business under the name of.....
 or
 employed by present is
 that the location of his business or employment.....
 last was
 (Signature).....

****Sworn and subscribed to before me
 this.....day of....., 1916.**

FORM No. 32.

[United States Government. Section 439.]

Affidavits must be filed with the District Board of Election on or before the last registry day.

County of..... }
 State of..... } ss.

....., being duly sworn according to law, on his oath said that he had attained the age of twenty-one years and has a legal residence in the State of New Jersey, but is now living out of the State, in the employ of the United States Government; that he has the right to and desire to exercise the right of franchise in the.....Election District of the.....Ward of the.....of....., County of....., in the State of New Jersey.

He further deposes and says that his name is.....; that his place of residence is.....; that he occupies
 (Street and number)

.....; that the name of the householder,
 (State number of room or floor occupied)
 tenant, sub-tenant or apartment lessee is.....; that his age is.....years; that he has resided in the State of New

***If the voter is in business for himself or with others, the name under which he is so in business, or if the voter is employed by some other person, the name of his present employer. If he is not in business and has no employment, the word "none" shall be entered, together with the name under which he was last in business or the name of his last employer, if any.**

****If the above affidavit is taken outside of the State of New Jersey, it shall be accompanied by a proper certificate from the clerk of a court of record, in the county where such affidavit is taken, showing the authority of the person administering the oath to take affidavits.**

Jersey.....years; that the country of his nativity
 is.....; that he voted last in
 (Give country, State or province of birth.)
; that he is in the employ of the United States
 (Give name of municipality.)
 Government as.....
 (Give name of department or bureau.)
 (Signature).....

Sworn and subscribed to before me }
 at this day }
 of....., 1916.

FORM No. 33.

DESIGNATION OF CAMPAIGN COMMITTEE.

I, the undersigned, a member of the.....party, a candidate
 for the nomination for the office of....., do hereby name and
 appoint.....to receive, expend, audit and disburse
 all moneys contributed, donated, subscribed, or in anywise furnished or
 raised, for the purpose of aiding or promoting my nomination for the
 office above stated.

Dated,, 191
 (Signed).....

We, the undersigned, do hereby accept the above appointment and
 consent to act as such committee.

.....

The above designation must be filed with the original petition of nomination, or
 within five days thereafter, and shall be filed with the official authorized to receive
 and file the original petition of nomination.

FORM No. 34.

[Candidates for office, or for nomination for office, to be filled by the voters of
 a political division greater than a county, shall file this statement with the Secre-
 tary of State. Candidates for all other offices shall file statements with county
 clerk. Section 392.]

State of New Jersey, }
 County of.....} ss.

I,, having been a candidate for.....,
 at the.....election, held in the....., State
 of New Jersey, on the.....day of....., 191 , do
 solemnly swear that I have paid the sum of \$..... to
for my expenses at the said elec-
 (Naming committee designated by him)
 tion, and no more, and that, except as aforesaid, I have not, nor, to the
 best of my knowledge and belief, has any person, committee, club,
 society or association, on my behalf, directly or indirectly, made any

payment, or given, promised or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election, except such moneys as may have been paid to or expenses by the said committee designated by me.

(Signed).....

Sworn and subscribed to before me }
 this.....day of..... }
 191 .

FORM No. 35.

STATEMENT BY TREASURER OF CAMPAIGN COMMITTEE.

[This statement must give the names of each contributor or the source from which moneys were received, and an itemized statement of all expenditures over five dollars; also the names of all persons to whom moneys were paid, the specific nature of each item, by whom the service was performed, and the purpose for which it was expended, and be filed with the official with whom candidate's petition was filed, within five days after any primary election, and twenty days after any general election. Section 391.]

State of New Jersey, {
 County of..... } ss.

I,, being the treasurer of the committee appointed by.....to receive and expend funds in connection with his candidacy for the office of....., at the..... election, held on the.....day of....., 191 , do solemnly swear that the following is a true, full and correct statement of such receipts and expenditures:

Receipts.

Expenditures.

.....

.....

(Signed).....

Sworn and subscribed before me this }
day of....., A. D. }
 191 .



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REFERENCE DEPARTMENT

This book is under no circumstances to be taken from the Building

[illegible]



